

PRIVATE AND CONFIDENTIAL INFORMATION

NOT FOR PUBLIC VIEWING

21 July 2016



The Planning Inspectorate
~~Crown~~
~~Crown~~ Building
Cathays Park
Cardiff
CF103ND

Dear Sir / Madam,

Re: Welsh Government Planning Inspectorate; Ref; H6955/A/16/3144761

Planning Ref; P/2015/0773

Please would you forward a copy of the above decision letter to our address as follows,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



21st July 2016

(Private & Confidential)

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dear Sir/Madam,

Re: Welsh Government Planning Inspectorate Re: H6955/A/16/3144761
Planning Application Ref: P/2015/0773

I enclose previous comments and objections which have been submitted to Wrexham County Borough Planning Office and previous appeals to Cardiff as most of these still stand, as the application is not in accordance with many policies set forth in the Wrexham Unitary Development Plan, ie EC1, GDP1a, PS2.

Application **P/2011/0670** shows the extent of the deliberately misleading information of the Planning Application forms, ie:-

- **Description:** Brown field site
- **Assessment of Flood Risk:** Is your proposal within 20 metres of a water course (eg. river, stream or beck)? Will the proposal increase the flood risk elsewhere?
- **Description of the Proposal:** Has the building, work or change of use already started?
- **Description of the Proposal:** Is the building, work or change of use been completed?

Please note that Mr Cash (or his agent) has replied **NO** to all of the above.

Facts:

- ❖ There is the Gwenfro river within 20 metres of the proposed site
- ❖ There is a stream hidden behind the fence, adjacent to the site, from the north, north-east down to the south side of the site.
- ❖ There has never been such a massive flooding as we recently experienced, since the early 1900s, when the River Gwenfro was covered over by the then Council, and water sources controlled in this area (this is known because a large majority of my family have lived here since the late 1800s, and many

related their knowledge to me) **before** this site was occupied for living on in the Year 2000 (temporarily occupied as Application refused and subsequent Appeal dismissed).

If this appeal is dismissed, how many more dishonest or misleading applications by Mr Cash (or indeed any other person he might decide to sell the land to) will be made. Will there be any truth in their reasons for extending their already extended stay on site?

The Application shows that the amenity structure is to be replaced by a mobile utility unit; where will it be emptied?

Mr Cash, the appellant, has stated that all his family are travellers of fixed abode in the Wrexham area and also work in the nearby area. A vast number of people in the Wrexham area in private or rented dwellings have to travel many distances to their place of work; some having to live away from home as the distances are too great to commute daily. As a result, they could say that they, too, are travellers. If Mr Cash's appeal was to be granted, surely all travellers could do the same and set up camps in green field or brown field sites, otherwise they would be discriminated against.

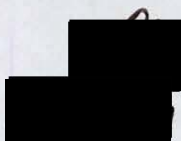
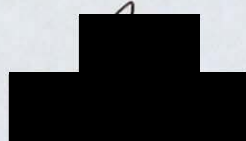
The appellant, Mr Cash, is playing cat and mouse with the Wrexham Council Planning Department and Planning Inspectorate of the Welsh Government, Cardiff.

How many more Planning Applications and subsequent appeals, with altered plans will be made, and at what repeated costs and implications to the Wrexham Council and Welsh Government.

Repeated, detrimental, stressful costs to the residents of this area, ongoing for many years now, will eventually cost the Health Board more. The Policing costs have not diminished; it would increase the Council rates and could affect everybody in the WCBC.

The costly farce of a minority of people needs to end for the individuals who bear the brunt of the matter. It would not be good governance to allow it.

Yours faithfully,

A black rectangular redaction box covering a signature.A black rectangular redaction box covering a signature.

Encls (x 5)

Janet Sutherberry
Planning Officer
16 Lord Street
Wrexham
LL11 1LG

19th November 2015

Dear Ms Sutherberry,

(PRIVATE & CONFIDENTIAL)

RE:Ref: P/2015/0773

Replacement of Existing Stable Building and Shed with one mobile home, one mobile utility structure and 2 in No. Touring Caravans together with associated parking (partly in Retrospect)

Land East of Junction of Tanyfron Road with Southsea Rd, Southsea, Wrexham

Firstly our objections are supported by the 2 previous decision letters from appeals on this site as in our opinion the criteria for the rejection of this application is the same and as follows.

The Planning Application is for an area of land that is outside the settlement limits/development boundary and contravenes the following policies of the Wrexham Unitary Development Plan:-

- | | |
|------|---------------------------------|
| EC1 | Green Barrier |
| EC4 | Hedgerows, Trees and Woodland |
| GDP1 | Development objectives |
| H9 | Gypsy caravan sites |
| PS2 | Development and the environment |

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

12/11/2015

WHILST SYMPATHY CAN BE FELT TOWARDS INDIVIDUALS WHO ARE VULNERABLE OR ILL THE BASIC FACTS OF LIFE PRESENTLY ARE AS FOLLOWS :-

NO HOSPITAL HAS THE FACILITY OR SPECIALIZES IN ALL ASPECTS OF HEALTH PROBLEMS.

MANY INDIVIDUALS FROM THE LARGE WREXHAM HOSPITAL CATCHMENT AREA REQUIRING, FOR EXAMPLE, VARIOUS CANCER AND NEUROLOGY DISORDER OPERATIONS AND TREATMENTS HAVE TO TRAVEL MANY MILES TO BODELWYDDEN TOGETHER WITH THE WIRRAL, LIVERPOOL, MANCHESTER AND BIRMINGHAM.

THERE ARE MORE VILLAGERS WITH THESE SORT OF PROBLEMS THAN THERE ARE ON THE SITE OF THIS SOUTHSEA PLANNING APPLICATION WHO IF SERVED AN EVICTION NOTICE FOR VARIOUS REASONS WOULD BE EVICTED FROM THEIR ABODES ON THE DUE DATE AND HAVE TO FIND THEIR OWN ACCOMODATION. ALSO VILLAGERS WITH MENTAL DISORDERS TO WHOM THIS DISTRESSFUL SITUATION CAUSES STRESS, WHICH IS NOT ACCEPTABLE FOR THEIR WELLBEING.

AN EVICTION ORDER HAS BEEN GRANTED AND NEEDS TO BE ADHERED TO.

28th January 2014

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff CF10 3NQ

Your Planning Inspectorate Ref: H6955/C/13?2210461

For the attention of Anne-Marie Shivers
Dear Madam

Thank you for your letter dated 24th January 2014 which I received 27th January 2014.

We wish to amend the 1st paragraph, 2nd sentence of our letter dated 24th January 2014 to read as follows:- I would initially draw your attention to my previous communications from October 2011 onwards to be put forward in support of Enforcement Notice P/2011/00036).

You say you do not have a copy of our previous correspondence. We find it quite disturbing that The Planning Inspectorate of Cardiff and The Planning Department of Wrexham do not have copies our letters that are part of an on going Planning Application at Southsea Road, Southsea which has not yet concluded!

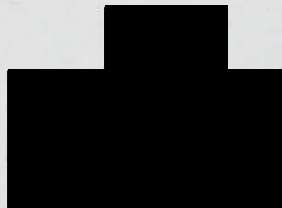
Thankfully, copies of our relevant letters were put on disc except for the letter of the 24th January that we sent you as our printer broke down. I hope other people have copies like ourselves. There was no time to post you our letters by the 30th January as the letters can take 4 working days to arrive, therefore, I have asked someone to help us to send this e- mail with copies of letters attached that you requested.

My attached previous communications from October 2011 regarding Mr Cash's first application are:-

A Reply letter (a) dated 07/10/2011 and a reply letter (b) to Amended Application dated 23/01/2013, which to date, still stands and is relevant to this long on going case. *ALSO COPY LETTER 17TH APRIL 2012, WHICH TO DATE STILL STANDS AND IS RELEVANT.*

Please note we request that our names and address on all letters including this e- mail and attachments will only be seen by Inspector so that personal details are protected as per letter dated 24/01/14. I ask that you to confirm legible receipt of this e-mail and attachments please.

Yours sincerely



PRIVATE & CONFIDENTIAL

Chief Planning Officer
Lawrence Isted
Wrexham County Borough Council
Lambit Street
Wrexham
LL11 1AR

Case Officer:
Janet Sotherbury

23rd January 2012

Dear Mr Istad

Re Full Planning Application Number P/2011/0670

**PROPOSED TRAVELLERS CHALET AND CARAVAN PARK FOR FOUR PLOTS
AMENDED TO CONTAIN ONE FAMILY PLOT PLUS ONE EXTRA CARAVAN.**

I have seen a copy of the above Planning Application and amendments to the Design and Access Statement and Plans and give my amended observations, comments and objections which show that the application is not in accordance with many items set forth in the Wrexham Unitary Development Plan.

There are inaccuracies and inconsistencies on the Application for Planning Permission and the Design and Access Statement.

Application for Planning Permission

Section 3. Amended Description of the Proposal states that this application is for Proposed Travellers Chalet and Caravan Park for 1 family Plot and that change of use has not already started.

There is no mention in application that change of use been applied for. Change of use has already commenced and is still ongoing! Objection! Hard core, Bit-Mal as described in this section or Scrapings as described in the Design and Access Statement, has already been spread over the majority of the site leaving just a small piece of grassed grazing land to the west side of the footpath and a 6 foot close boarded fence and concrete base, with barbwire alongside public footpath to the east, has been erected all round the site boundary during August/September 2011. The owners, themselves, have made this site appear like a Brown Field site by this action instead of applying a little tidying up. The very large amount of fencing around the site is in stark contrast with its rural and Green Barrier setting. More like a large business site in comparison, totally alien and not in keeping with the areas old village housing setting and street scene. The newly erected ornate gates recently set back into the site at the entrance are not in keeping with this Green Barrier site

Section 4. Site Address Details. Description given as Brown-Field Site. The site is within the Green Barrier which keeps the character of area and provides the villages with separate identities.

Section 11. Vehicle Parking. The original planning application states 12 vehicles which is equivalent to 1 pickup vehicle and 2 cars per 1 chalet and 1 caravan plot as is the norm for a Traveller Parks pitch. The amended Planning application has an extra caravan on the Travellers Park pitch which is not the norm; therefore, the new plans require two extra parking areas to accommodate another car and pickup truck.

Section 12. Amended Foul Sewage. New plan shows that the FMH (main foul sewer) from the amenity block and SMH from the gullies draining the sites concrete hard standing, slabbed and brick paving areas, now shown on amended plans, go into public sewers on Southsea Road opposite the entrance to site. The entrance at present slopes downwards into the site, therefore, as there is no mention on the plans of this I would ask if the public drains are deep enough to be able to drain into it and have the authorities concerned been consulted.

Section 13. Assessment of Flood Risk. The site is within an area at risk of flooding. At least over 4 generations, on a section of the field, water has collected after heavy rain and snow forming a pond which was even skated on in some winters. During a celebration party of the Queens Jubilee held on the field by this original part of Southsea village the residents had to quickly evacuate that area after 5 minutes of rain.

It has a river on the western side of the site within 20 metres

There is a water course along side and adjacent to the northern boundary fence which is not recorded in this section of the application. This water goes underground on the south side of the site and the culvert emerges into the covered section of the river between the Rollers Arms and Southsea Church near the bottom of Bridge Street. The culvert exit has thick horizontal steel bars across it so no one can crawl up it.

and
towards the EAST
DOWN TO THE SOUTH

Section 15. Existing Use is again stated as Vacant Brown Field Site. This Green Barrier site has been a field and used for housing and grazing of various livestock for at least 4 generations up to mid August 2011. One horse has been transferred to reside in the adjacent site across the east side of the footpath boundary, not shown on the plan, also owned by the applicant. When land adjacent to the site is owned by the applicant that piece of land should be marked in blue on the application plans to indicate that the applicant also owns and has an interest in that plot of land. The Plan and aerial picture view are not marked in this way.

Design and Access Statement

Section 1. The Applicant. This states the applicant wants to live without impinging on the amenity or way of life of anyone else. The frequently used footpath on the east of site which is a link for the villages around now has a high fence erected with barb wire along one side with a dog-left on it which restricts forward vision leaving blind spots potentially detrimental to personal safety of the villagers as they use it for access to the doctors, chemist, shops etc and adjoining villages. The clear enjoyable views of the open and safer Green Barrier for walking have now been blocked without planning permission. Some have already expressed fears of passing a site housing frequently coming and going inhabitants with dogs

including visitors from other countries, as is the norm for travellers with extended families who they do not know, therefore, could not trust and would not be able to use the path in that scenario thus reducing the amenities of the area for them which is detrimental to their enjoyment of these amenities.

The applicant states 'extended family' which means a group of people related to one another, or otherwise connected i.e. travellers near and far of all nationalities.

Section 2. The Site. This states that the site is opposite Tri Plan kitchen factory and a number of residential properties that are set back from the road. The residential buildings across the road are definitely not set back off the road; one is actually adjacent to it by the entrance to the site and the others just a few yards from it.

The Tri Plan factory so called is a small family concern employing 4 people and is situated within the old barn and outbuildings of the old farm which has been there for over 100 years together with the large house on the same land, which now houses more than one residence within the house and was originally the house of the manager of the nearby Plas Power Colliery, Southsea of which existing buildings are under CADW. All this is part of the culture/history and distinctiveness of this original small Southsea rural/mining village of 100 houses. The original postal address of Southsea was extended to include a large number of council houses but they are separated by a green area from the original Southsea.

Section 3. The Proposal. The applicants proposal is to create a small traveller chalet/caravan park for one family i.e. travellers a group of people related to one another, or otherwise connected.

There is already a traveller's site approx. 1/2 a mile away on Ruthin road with vacancies. There is also another traveller's site nearby and some travellers are housed in council houses nearby. Granting permission for this application would be setting a precedent for other travellers to be granted permission on Green Barrier land. This area has already got more than its fair share of travellers and any more would create an imbalance.

Access entrance recently widened, set back, farm gates removed, new large ornate steel gates erected, some hedges removed height of some others cut down with out planning permission do not address the dangerous visibility of moving in and out of the site entrance.

Section 4. General Considerations States the applicant's vision for the site is the creation of a family home that is attractive, functional and safe for residents and does not adversely affect anyone living nearby or further afield.

In section 3, the proposal states as is the norm for Traveller Parks the pitch will contain a parking area for a roller or similar small contractor's plant liken it to a business site and contradicts the above statement.

The applicant's recent action of cutting back the hedge at the entrance to the site effectively open up the naturally screen 'bowl' described in the 4th paragraph of 2. The Site that states 'protects it and prevents noise from emanating to points outside', resulting in adversely affecting anyone living nearby or further afield, therefore, not in accordance with the applicant's vision as stated above.

General Considerations, page 4, paragraph 1. The 'bowl' also includes the big house opposite as it is positioned on higher land which completes the 'bowl' contour of the area and noise emanates upwards! Noise would be detrimental to resident's amenities in this area or indeed the whole quiet village.

Section 5. Accessibility. The access is near a bend and right opposite the entrance to a small number of residences and a small business. When bin lorries stop beside the entrance to collect the refuse which is sited near the entrance to the site or if any other vehicle parks there they will totally obstruct the view of traffic, travelling from Brymbo, coming from round the bend on a dip from the Wrexham direction, therefore, making it very dangerous on this now very busy main road.

Section 5. Environmental Sustainability. 1st paragraph again states that this Green Barrier land is a Brown Field site. This Green Barrier land was environmentally sustainable and just needed a little tidying up.

The septic tank installed by the previous owner whose planning application for a caravan or bungalow in 2001/2003 was not granted is still installed near the north boundary fence and water course and was emptied by the applicant on moving to the site and required 4/5 vehicle journeys. Does the outflow pipe drain into the water course and if the building, which often has lights on, erected on the north west corner of the site, is being used at present as an amenity block is it draining into the septic tank. If so this may not be environmentally friendly.

Page 6. Character. 3rd paragraph states the site is almost completely enclosed and hidden from the road so it is not visually intrusive. The proposed visibility issue has been carried out recently and the site now is not completely enclosed, therefore, has a detrimental visual and intrusive impact. Neither will noise emanating from the site, which the Design and Access Statement addresses in section 2. The Site, be addressed.

This site is a traveller's transit site as per paragraph 2. This paragraph states that the site is away from house dwellers, where conflicts sometimes arise. The site is 10 metres across the road from house dwellers.

The character of the area generally will be altered by the Proposed Site on a Green Barrier. Presently the character of the street scene is a large old characteristic stone house with an old farm barn and outhouses converted inside to contain a small family business and more homes. It is at the head of an old stone/brick rural farming/mining village and the area is surrounded by trees and fields and hedgerows.

Briefly as a result of the above comments my objections to the granting of this application are as follows:-

The site is a Green Barrier land which separates and retains the boundary between villages allowing them to keep their separate identities.

The site is within the flood plain.

The site will have a detrimental, visual, intrusive environmental impact on the village and its residents.

The access to the site is dangerous

Further Comment and concern

The site is part of the Bryn Celyn ward of our Broughton Ward and lies within the Gwenfro Ward which is a Community First Area, benefiting from Welsh/European Grants to upgrade deprived areas, so concerns are made that the introduction of a traveller's site into our ward

will have an adverse effect and further lower our rating with regard to the Indices of Multiple Deprivation in Wales.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Amended application

PRIVATE + (CONFIDENTIAL)

Chief Planning Officer
Lawrence Isted
Wrexham County Borough Council
Lambit Street
Wrexham
LL11 1AR

7th October 2011

Dear Mr Istad

Re Full Planning Application Number P/2011/6070

PROPOSED TRAVELLERS CHALET AND CARAVAN PARK FOR FOUR PLOTS

I have seen a copy of the above Planning Application together with its accompanying Design and Access Statement and give my following observations, comments and objections which show that the application is not in accordance with many items set forth in the Wrexham Unitary Development Plan.

There are inaccuracies and inconsistencies on the Application for Planning Permission and the Design and Access Statement.

Application for Planning Permission.

Section 3. Description of the Proposal states that this application is for Proposed Travellers Chalet and Caravan Park for 4 Plots and that change of use has not already started.

There is no mention in application that change of use been applied for.

Section 4 Site Address Details. Description given as Brown-Field Site. The site is within the Green Barrier which keeps the character of area and provides the villages with separate identities.

Section 10. Materials. Change of use has already commenced! Objection! Hard core, Bit-Mal as described in this section or Scrapings as described in the Design and Access Statement, has already been spread over the majority of the site and a 2 metre high close boarded timber fence has been erected all round the site boundary during August/September 2011. The owners, themselves, have made this site appear like a Brown Field site by this action instead of applying a little tidying up. The very large amount of fencing around the site is in stark contrast with its rural setting. More like a large factory site in comparison, totally alien and not in keeping with the areas old village housing setting.

Section 13. The site is within an area at risk of flooding. At least over 4 generations, on a section of the field, water has collected after heavy rain and snow forming a pond which was even skated on in some winters. During a celebration party of the Queens Jubilee held on the field by this original part of Southsea village the residents had to quickly evacuate that area after 5 minutes of rain

Section 15. Existing Use is again stated as Vacant Brown Field Site. This Green Barrier site has been a field and used for housing and grazing of various livestock for at least 4 generations up to mid August 2011. One horse has been transferred to reside in the adjacent site across the footpath boundary owned by the applicant. When land adjacent to the site is owned by the applicant that piece of land should be marked in blue on the application to indicate that the applicant also owns and has an interest in that plot of land. The Plan and aerial picture view are not marked in this way.

Design and Access Statement

Page 3. The Applicant. This states the applicant wants to live without impinging on the amenity or way of life of anyone else. The frequently used footpath on the south/east of the site which is a link for the villages around now has a high fence erected along one side with a dog-left on it which restricts forward vision leaving blind spots potentially detrimental to personal safety of the villagers as they use it for access to the doctors, chemist, shops etc and adjoining villages. Some have already expressed fears of passing a site housing frequently coming and going inhabitants with dogs including visitors from other countries (as per Page 5 section 6) who they do not know, therefore, could not trust and would not be able to use the path in that scenario, therefore, reducing the amenities of the area for them which is detrimental to their enjoyment of these amenities.

Page 3. The Site. 1st paragraph states the site is opposite Tri Plan kitchen factory. The factory so called is a small concern employing 4 people and is situated within the old barn and outbuildings of the old farm which has been there for well over 100 years together with the large house on the same land, which now houses more than one residence within the house and was originally the house of the manager of the nearby Plas Power Colliery, Southsea of which existing buildings are under CADW. All this is part of the culture/history and distinctiveness of this original small Southsea rural/mining village of 100 houses. The dwellings and streets have hardly changed in appearance in all those years. The original postal address of Southsea was extended to include a large number of council houses but they are separated by a green area from the original Southsea.

Page 3 & 4. The Proposal 2nd paragraph states intension is to provide a visibility splay at the access to the site by cutting back the hedge along the frontage so it is optimised and visibility made completely safe. This action would effectively open up the naturally screen 'bowl' described in the 4th paragraph of 2. The Site that states 'protects it and prevents noise from emanating to points outside', resulting in adversely affecting anyone living nearby or further

afield, therefore, not in accordance with the applicant's vision as stated under General Considerations, page 4, paragraph 1. The 'bowl' also includes the big house opposite as it is positioned on higher land which completes the 'bowl' contour of the area and noise emanates upwards! Noise would be detrimental to resident's amenities in this area or indeed the whole quiet village.

Page 4. Environmental Sustainability. 1st paragraph again states that this Green Barrier land is a Brown Field site.

Page 5. Accessibility again mentions hedge cutting to frontage.

The access is near a bend and right opposite the entrance to a small number of residences and a small business. When bin lorries stop beside the entrance to collect the refuse which is sited near the entrance to the site or if any other vehicle parks there they will totally obstruct the view of traffic, travelling from Brymbo, coming from round the bend from the Wrexham direction. This would create a dangerous access.

Page 6. Character. 3rd paragraph states the site is almost completely enclosed and hidden from the road so it is not visually intrusive. If the proposed visibility issue to the site as per Accessibility and The Proposal sections as above are carried out the site will not be completely enclosed, therefore, will have a detrimental visual and intrusive impact. Neither will noise emanating from the site, which the Design and Access Statement addresses in section 2. The Site, be addressed.

The character of the area generally will be altered by the Proposed Site on a Green Barrier. Presently the character of the street scene is a large old characteristic stone house with an old farm barn and outhouses converted inside for a small business which supplies and erects kitchens. It is at the head of an old stone/brick rural farming/mining village and the area is surrounded by trees and fields and hedgerows.

Briefly as a result of the above comments my objections to the granting of this application are as follows:-

The site is a Green Barrier land which separates and retains the boundary between villages allowing them to keep their separate identities.

The site is within the flood plain.

The site will have a detrimental environmental impact on the village and its residents

The access to the site is dangerous

Yours sincerely



PRIVATE & CONFIDENTIAL

COMMENTS ON CASE

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF 10 3NQ

17th April 2012

Dear Sir/Madam

Re Welsh Assembly government Ref: H6955/A/12/2172149
Appeal of Full Planning Application Number: - P/2011/0670

Previous comments and objections stated in my letter, which I presume have been forwarded to you and read, submitted to Wrexham Planning Office regarding above planning application still stand as the application is not in accordance with many policies set forth in the Wrexham Unitary Development Plan.

I disagree with Mr Andrew Cash's appeal comments on this case for the reasons below.

The vast amount of on going alteration to the site and activities since planning application submitted is totally alien and not in keeping with the character of the area. It has a detrimental visual impact to the residents living a few yards across the road from the site and to local villagers and adjoining villages who frequently use the footpath alongside the site's southern boundary albeit some who have stated are now afraid to use the path. Since the site has been occupied there has been on going burning of materials emanating acrid smoke, noise disturbance, cutting down of large trees near the boundary and more traffic movement. There has been an increase in criminal activities in the villages of the area consisting of many police involvements some requiring the use of a helicopter and one also requiring armed police officers covering the traveller site area causing costly unnerving police callouts. The enjoyment of amenities and lifestyle by villagers of the area has drastically been eroded.

These gypsy/travellers live a different way of life to the villagers. They could have lived on the official Ruthin Road site last year when there were vacancies, even recently there are vacancies I have been told. If it was not to their liking why desecrate and erode the green barrier, make it into a Brownfield site and detrimentally encroach on the visual amenities and lifestyles of Village residents to whom they clearly do not have compatible lifestyles.

To grant this application on a Greenfield site in such close proximity to villagers residences, and is likened to a carbuncle attached to this small original village part of Southsea, which clearly has already had considerable adverse impact on the surrounding rural community lifestyle since the alterations and occupation of this land is not in keeping with good governance and development planning principles and would also amount to bad planning.

