

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT
HOME FARM GRESFOR ROAD LLAY**

COUNCIL'S STATEMENT OF CASE

PLANNING REF: P/2014/0905

PINS REF: 3147116

1.0 THE SITE

- 1.1 The appeal site is a 15.86 hectare area of agricultural land located to the north-east of Gresford Road in Llay. The site is bounded to the north-west by the B5102/Straight Mile road, the property Maes Rhedyn to the south and by open countryside to the east. The site surrounds Home Farm and Old Meadow Court – the latter being former agricultural buildings converted to residential use.

1.0 PROPOSAL

- 2.1 Outline planning permission is sought for up to 365 dwellings and the erection of a 300 sq.m retail unit. All details matters are reserved for subsequent approval.

3.0 NATIONAL PLANNING CONTEXT

- 3.1 Planning Policy Wales
- 3.2 Technical Advice Note 1: Joint Housing Land Availability Studies
- 3.3 Technical Advice Note 12: Design
- 3.4 Technical Advice Note 18: Transport

5.0 LOCAL PLANNING CONTEXT

- 5.1 The relevant development plan is the Wrexham Unitary Development Plan (UDP) adopted 14 February 2005.

- 5.2 The following policies are directly relevant to the appeal:

- PS1: Strategic Policy
- PS2: Strategic policies
- H5: Housing in the Countryside

- 5.3 The following policies are also considered relevant to the appeal proposals:

- GDP1: Development Objectives
- GDP2: Capacity of Community Infrastructure
- EC2: Agricultural Land
- EC4: Hedgerows, Trees and Woodland
- EC6: Biodiversity Conservation
- H7: Affordable Housing
- S6: Local Need Shopping
- S7: Retail Sales in the Countryside
- CLF5: Open Space Requirements from new Residential Developments
- T8: Parking
- MW9 Protection of Mineral Resources

- 5.4 The policies of the UDP are supplemented by a Local Planning Guidance Notes (LPGN). The LPGNs applicable to the appeal proposals are:
- LPGN10: Public Open Space in New Housing Development
 - LPGN16: Parking
 - LPGN27: Developer Contributions to Schools
 - LPGN28: Affordable Housing
 - LPGN30: Design

6.0 THE COUNCIL'S CASE

- 6.1 The Council considers that policies PS1, PS2 and H5 remain consistent with Planning Policies Wales and therefore should be afforded significant weight despite the expiry of the UDP plan period.
- 6.2 The site is located outside of the settlement limit for Llay as defined in the UDP. Policy H5 only allows for residential developments outside of settlement limits where the proposals involve the conversion of a suitable building, the subdivision of an existing house, infilling, small affordable housing schemes on the edge of settlements and dwellings for rural workers. The appeal proposals do not meet any of these criteria and therefore conflict with the policy.
- 6.3 The development will result in a significant intrusion into the rural landscape to the north-east of Llay. Due to its location and scale the appeal proposal does not represent a logical extension to the existing built up area of the village and will materially and detrimentally impact upon the countryside. It is the Council's view that these considerations significantly outweigh the need to increase the supply of land available for housing in the County Borough in this instance.

7.0 CONCLUSION

- 7.1 The proposed development lies in open countryside outside settlement limits as defined in the adopted Wrexham Unitary Development Plan. The scale of the development is also too great in proportion to the size of Llay and it does not represent a logical extension to the existing settlement. The appeal proposals are therefore contrary to PS1, PS2 and H5 of the adopted Wrexham Unitary Development Plan.
- 7.2 In light of the above, the Council will ask that the appeal be dismissed.

LIST OF DOCUMENTS

The Council will rely upon those documents submitted with the questionnaire and upon the policies and guidance referred to above. Where considered necessary, other documents will be referred to and submitted with the Council's Proof of Evidence.