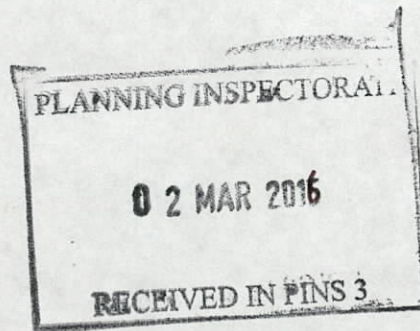




"The Brambles"
Ellesmere Lane
Penley
Wrexham
LL130LP

25 February 2016

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dear Sir/Madam

Panning Appeal 3139131

Outline planning application P/2015/0399

Erection of 26 dwellings with all detailed matters except access reserved for further approval.

Land south of Big Green Farm, Ellesmere Lane, Penley, Wrexham

Appellants: R and C Homes Ltd

LPA: Wrexham County Borough Council

I refer to the above appeal and wish to register my planning objections to this proposal, together with those of a group of fellow local residents who endorse the contents of this letter.

An earlier letter of objection dated 6 June 2015 was submitted at application stage and this should already have been forwarded to you by Wrexham County Borough Council.

My grounds of objection are as follows:

1. Penley is a small settlement situated approximately 12 miles from Wrexham town centre in open countryside where farming and other rural activities predominate. Oswestry and Whitchurch lie at somewhat similar distances in Shropshire, with the smaller but closer Ellesmere town located to the south. Future housing need in Wrexham County Borough to 2028 should logically be addressed through the planning system by further housing development in those places where it is most needed, where there is substantial employment and where services can most efficiently be provided. As the only town in the Borough and having, by far, the largest population, Wrexham is the logical choice for further residential development. In contrast, Penley has only a modest number of jobs on a low key industrial estate and there is little prospect of additional employment being provided in the village in the foreseeable future. Putting substantial new housing development into this inappropriate and remote village location would be unsustainable in the extreme and detrimental to the economy and proper planning of the Borough as a whole.

2. The Council's Joint Housing Land Availability Study published on 31 March 2013 for consultation indicates a current land supply of 4.59 years (3.1 years in the version published on 31 January 2015). The report goes on to say:

"Given that WCBC is currently preparing its LDP, it does not consider it necessary at this stage to implement formal steps to increase the land supply. In any case a lack of resources would not allow for this and would ultimately delay the LDP process."

Furthermore, given that applicants and agents have indicated that the poor economic climate has had an impact upon the number of units built and the number expected to be built over the next 5 years, it is hoped that this situation will improve and hence increase the overall supply. The Council will give appropriate consideration to any applications that may be submitted for residential development outside of existing settlements. It must be stressed, however, that the Council cannot guarantee that any such applications will be approved simply because they contribute to the land supply. The need to increase the 5 year supply will not override the need to take account of all other planning constraints and material considerations. Any applications will be carefully considered on their own individual merits together with the potential contribution that such development can make to the overall housing land supply." (my emphasis)

3. Penley has received more than its fair share of new residential development over the last few years with much of it concentrated, quite properly, onto the former Penley Hospital brownfield site now known as Penmere Park. That development, by Morris Homes Ltd, has just been completed and yielded around 150 units of accommodation. It meets local needs, with quite a few of those houses currently on the market. If further residential development is essential in Penley to 2028, then there is brownfield land immediately adjacent to Penmere Park on its north-eastern flank at **Tupa, Penley Hall Drive (PENL05CS – 1ha)**, being the site of other redundant hospital buildings, as well as other brownfield land at **Penley Hall Industrial Estate (North) (PENL001UCS – 1.1ha)**. Those sites are amongst 10 blocks of land (including the appeal site) that have been put forward by various landowners for future housing development to 2028 in response to the pre-deposit public consultation on the Wrexham Local Development Plan 2 (2013-2028) Preferred Strategy. If all were fully developed at a conservative estimate of only 36 units per hectare they would yield about 720 dwellings! Eight of those parcels comprise greenfield land. In addition to those sites the Council has, I believe, recently committed to granting planning permission for 7 dwellings off Tudor Drive, 4 dwellings adjacent to Lane End, and 9 houses at the northern extremity of Ellesmere Lane. I would be happy to show any of these sites to the Inspector at the hearing site visit.

4. The essential character of Penley village derives from its relatively low density and spread out form. It features a number of concentrations of built development separated by grassy fields but there is no defined village centre. The names Big Green, Little Green, Chapel Green, Far Green attest to areas of former common grassland that appeared as woodland clearings from the medieval period onwards. The appeal site in Ellesmere Lane forms part of a large field that separates the modern Llanerch Panna estate from more varied frontage development on the opposite (north) side of Big Green Farm. Erection of 26 semi-detached houses in this location, in what is an unimaginative cul-de-sac layout, would unacceptably intrude into attractive unspoilt countryside that is designated as a Special Landscape Area. Such an alien form of development on a prominent greenfield site away from the main road through the village would harm the open farming landscape, to the detriment of the visual amenities of this rural area.

5. A previous planning application for 68 dwellings on a larger area of land encompassing the appeal site was refused on 5 September 2014. Amongst other matters, the Council considered that such a scheme would form an illogical extension to the settlement limits of Penley and constitute an undesirable intrusion into the Special Landscape Area. Furthermore, it would not maintain the existing settlement pattern, nor accord with the character of the site and would fail to make a positive contribution to the appearance of the locality. In my opinion, the same criticisms apply just as much to the current proposal for 26 dwellings. I cannot accept that building on a very prominent greenfield site, closing off much of the open views across agricultural land of Special Landscape Value, would make a positive contribution to the settlement. Moreover, there is no logic for the settlement limits at Llanerch Panna to be joined to the rest of the village. If this was to occur, a strong and undesirable precedent would be set for further housing development to the south and

west of the application site - ending up with a scheme remarkably similar to the appellants' original proposal! This is greenfield land of Special Landscape Value and should be fully recognised and protected as such. It is not appropriate for approval to be given on an ad-hoc basis, outside the local plan system.

6. Turning to policy matters. I accept that the weight given to the Wrexham Unitary Development Plan (UDP) 1996-2011 must be tempered by its age and other material considerations - particularly national planning policy, housing land supply (already addressed in these objections) and the objective of achieving sustainable development. But these planning policies are important in providing a framework against which to test the appeal proposals. The current scheme performs badly when measured against many of the policies cited by the Council, despite the appellants' contention to the contrary. In particular:

- Policy EC5 (Special Landscape Area). The development would have an adverse impact on the landscape by substantially obstructing views of the open countryside. The development would not blend into the built environment but would extend it to the detriment of the open character of Penley.
- Policy H5 (Housing in the countryside). By no stretch of the imagination can this scheme be regarded as 'infilling' - which is commonly defined as the development of a *small gap* in an otherwise substantially developed frontage. This scheme would destroy the open nature of a substantial tract of farmland that is indistinguishable from many similar sites within and adjacent to Penley village.
- Policy PS1 (Settlement Limits). This site is patently outside the carefully thought out settlement limits of the village.
- Policy PS2 (Development and the environment). Development of this greenfield site would materially and detrimentally affect countryside, landscape character, open space and the quality of the natural environment.
- Policy S3 (Brownfield land). This policy requires development to occupy previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield sites - particularly where the land is of landscape value. As I have already indicated, there is still brownfield land available for development in Penley. There is no urgent need for further housing land at this time, in advance of a thorough review of competing sites assessed through the local plan process.
- Policy PS4 (Settlement pattern). This development would not maintain the existing settlement pattern and character, and would not help reduce the overall need to travel. Many of the new residents would be likely to travel by car to distant places of employment.
- Policy T8 (Parking, transport). The No 146 bus service referred to by the applicant is not hourly throughout the whole day and does not operate in the evenings and on Sundays.
- Policy GDP1 (Development objectives). Built development here would not accord with the open character of the site and would not make a positive contribution to the appearance of the locality. In terms of sustainable communities, 6 affordable homes for rent is an entirely different proposition from a total of 26 dwellings.
- Policy GDP2 (Capacity of infrastructure and community facilities). There is no need for further housing development here to support community facilities. More than 150 new dwellings have been built in the village in recent years, and both primary and secondary schools are believed to be at or beyond capacity. Unlike some rural villages Penley is NOT threatened by a loss of population.

7. I consider now other material considerations. Planning Policy Wales (PPW) provides a presumption in favour of sustainable development. It is my view that this proposal is no more sustainable than the previous scheme, although admittedly on a reduced scale. I acknowledge that limited views of countryside would be retained to/from Ellesmere Lane along the line of the public footpath but the fact remains that this is open greenfield land located in a Special Landscape Area

beyond settlement limits. It is seriously constrained and not suitable for development. Many other better sites exist in and around Penley that might be considered for release before this sensitive area, should an urgent and proven need for more housing land be established (which I dispute). Those competing sites are to be reviewed against each other as part of the local plan process and following public consultation. No ad-hoc decision should be made simply because of pressure from a pro-active land owner. I cannot accept the appellants' simplistic assertion that this would be "a minor loss of modest value grazing land".

8. The draft Local Development Plan (LDP) for 2006-2021 was withdrawn in 2012 because of flaws in the plan strategy, including a shortfall in the supply of housing land and a blanket approach to landscape protection. The further attempt currently underway to produce an LDP for 2013-2028 should yield a Deposit Draft later this year. While it is possible that some settlement boundaries might be adjusted and the Special Landscape Area become more focused I consider that little weight should be given to policies of this emerging plan at the present time.

9. In summary, I believe it would be wrong to construct so many extra houses on greenfield land in an unsustainable remote village location. This would deprive Wrexham town of a proper and fair share of housing land based on its population size and level of economic activity. It would seriously harm the open rural character of the area and the particular settlement characteristics of Penley. Moreover, damage would be caused to the integrity of the Special Landscape Area of which it forms a part.

For all these reasons I request that the Inspector dismiss this appeal.

Finally, there are a few matters I should draw to your attention. Please note:

- I was employed by the Planning Inspectorate as a Planning Inspector between 1990 and 2007 and this might impact on your choice of Inspector.
- The letter of notification of this appeal sent by the Council was received on 22 February 2016. It requires all representations to be submitted within a period of 6 weeks from an appeal start date of 5 February 2016. This is unfair to third parties given that several weeks have already passed.
- The Council's letter of notification includes a link to the Inspectorate's planning portal but this does not work and does not even give an Inspectorate appeal reference or identify the name of the appellants. This makes it very difficult, if not impossible, for interested parties to access the appeal documentation.
- The Council's letter of notification gives the impression that the only way to participate in this appeal as a third party is by making written representations. This is 'dumbing down' the rights of objectors to appear before the Inspector. I wish to attend the hearing and take an active part on behalf of local residents.

Please notify me of the arrangements for the hearing - date, time and venue - and let me have, in due course, a copy of the Inspector's decision on the appeal.

Yours faithfully



Clive Richardson JP BA(Hons) MCD MRTPI (Retd)

We support these objections for the reasons set out in this letter, and would like Clive Richardson to represent us at the appeal hearing:

Names

Address

Date

[REDACTED]
The Brambles,
Ellesmere Lane
Penley, Wrexham
LL13 0LP

25/2/16

[REDACTED]
The Hollies
Ellesmere Lane
Penley Wrexham
LL13 0LP

25/2/2016

[REDACTED]
The Hollies, Ellesmere Lane
Penley Wrexham LL13 0LP,

25/2/2016

[REDACTED]
Meadow Rise, Ellesmere Lane
Penley Wrexham. LL13. 0LP

25/2/16

[REDACTED]
Meadow Rise, Ellesmere Lane.
Penley, Wrexham. LL13. 0LP.

25/2/16.

[REDACTED]
Barberry House, Ellesmere Lane,
Penley, Wrexham LL13 0LP.

27/2/16.

[REDACTED]
Myrtlewood Cottage
Ellesmere Lane
Penley LL13 0LP

27/2/2016

[REDACTED]
Yew Trees
Ellesmere Lane
Penley LL13 0LP

28/2/2016.

[REDACTED]
Yew Trees, Ellesmere Lane,
Penley.

28/2/2016