

In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

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Expiry Date:
12/11/2018
Decision Notice
Sent:
12/11/2018
Grid Reference:
E 341830.25
N 340276.77



Applicant	MR K BARKER AND MRS T WILSON	Code No	MAE P /2018 /0771
Agent	MCCORMICK ARCHITECTURE LTD MR WYN ROBERTS THE MOORINGS ROWTON BRIDGE ROAD CHRISTLETON CHESTER CH3 7AE	Date Received	10/09/2018
		Decision Date	09/11/2018

Town and Country Planning Act, 1990

Location of application

LAND AT TUPA, PENLEY HALL DRIVE, PENLEY, WREXHAM, LL13 0LU

Description of application

OUTLINE APPLICATION FOR 9 NO. DWELLINGS

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
GDP1	Development objectives
GDP2	Capacity of infrastructure and community facilities
H5	Housing in the countryside
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking

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Particulars of decision that Outline Planning Permission be REFUSED

Reason(s)

1. By virtue of its location outside of any settlement limit as defined in the Wrexham Unitary Development Plan, the proposal for residential development of the site does not satisfy the criteria set out within Policy H5 of the Wrexham Unitary Development Plan (WUDP) where housing outside settlement limits may be allowed. The development would be materially detrimental to the character of this countryside, woodland location and would represent an undesirable visual intrusion into the rural landscape and Special Landscape Area. The development would not maintain the existing settlement pattern or represent a logical extension of the settlement limit, and would not accord with the character of the site or make a positive contribution to the appearance of the locality. The development would therefore conflict with Policies PS1, PS2, PS4, GDP1, H5 and EC5 of the Wrexham Unitary Development Plan. The proposal is not considered to represent sustainable development as set out in Planning Policy Wales and there are no material considerations associated with the scheme to justify departing from WUDP policies.
2. The proposed removal of a significant amount of tree canopy cover within a woodland area is unacceptable as being contrary to Policies EC4, PS2, EC5 and GDP1 of the Wrexham Unitary Development Plan and the advice contained within Local Planning Guidance Note No. 17 'Trees and Development' and the WCBC Tree & Woodland Strategy 2016 - 2026. The position of the plots would likely cause a significant reduction in light to the proposed dwellings which would be to the detriment of the future occupiers of the dwellings. This is likely to lead to pressure to reduce tree heights and canopies or to fell these trees. The development would be within the Root Protection Areas of the existing trees and as such the proposal does not provide for the conservation of trees.
3. Insufficient information has been submitted in support of the proposal to demonstrate that the development of the site would not cause detriment to species or habitats of local or national importance (Great Crested Newts and Bats). The proposal is therefore contrary to Policy EC6 of the Wrexham Unitary Development Plan, Chapter 5 of Planning Policy Wales (Edition 9)

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and the guidance contained in Technical Advice Note 5 - Nature Conservation and Planning.

4. In the absence of a bone fide safe and satisfactory vehicular access and pedestrian footways, the proposed development does not make adequate provision for the safety of all road users contrary to Policies GDP1 (d) and (e), and T9 of the Wrexham Unitary Development Plan.



Officer Appointed for this purpose
Refer to the Statement of Applicant's Rights and General Information Enclosed

Head of Environment and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm