



JUNE 2020

Planning Statement

Land off Hillock Lane, Gresford

Iceni Projects Limited on behalf of
Norris Jones Developments Ltd

June 2020

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ON BEHALF OF NORRIS
JONES DEVELOPMENTS
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Planning Statement
LAND OFF HILLOCK LANE, GRESFORD

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1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Norris Jones Developments Ltd (the “Applicant”), in relation to the Land off Hillock Lane, Gresford in support of an application for Outline Planning Permission for:

Proposed residential development for 109no. dwellings, associated highway and pedestrian access including improvements along Hillock Lane, with all other matters reserved, but indicative provision made for public open space, landscaping and affordable housing.

Project team

- 1.2 The project team consists of the following consultants:

- Icení Projects – Planning
- Owen Ellis – Architecture
- Croft – Transport
- TPM – Landscape
- Urban Green – Arboriculture
- Penny Anderson – Ecology
- Penny Anderson – Habitat Regulations Assessment
- BWB – Heritage / Archaeology
- BWB – Noise
- BWB – Air Quality
- BWB – Agricultural Land Classification
- Icení Projects – EIA Screening
- Icení Projects – Sustainability
- Icení Projects – Archaeology
- GeoSmart – Flood Risk and Drainage
- GeoCon – Geoenvironmental Site Investigations
- TigerGeo – Geophysical Site Investigations

This statement

- 1.3 The purpose of this statement is to identify and address the main planning considerations associated with the proposed development, demonstrating how the proposal would be acceptable in the context of the Development Plan and other material considerations.
- 1.4 The statement is structured as follows:

- Section 2 describes the application site and its surroundings, outlines the policy designations / allocations for the site and sets out the planning history of the site, including the recent Pre-application Consultation (PAC) process;
- Section 3 describes the proposed development for which Outline Planning Permission is sought;
- Section 4 identifies the planning policies and statutory requirements relevant to the assessment of the application;
- Section 5 identifies the key planning considerations raised by the proposed development; and
- Section 6 concludes that the development proposals accord with the Development Plan.

1.5 Appendices to this statement comprise:

- Appendix A.1 – Supporting Documentation.

2. SITE AND SURROUNDINGS

- 2.1 This section describes the application site and surroundings, identifies the relevant policy designations / allocations, and sets out the site's planning history, including the Pre-application Consultation (PAC) process.

Site and Surroundings

- 2.2 The application site is a 6.7ha parcel of land located off Hillock Lane, approximately 1km to the east of Gresford in Wrexham. Hillock Lane runs east to west between Chester Road (B5445) and Wynnstay Lane. The B5445 meets the A483, the main arterial route through the area, at Junction 6.
- 2.3 The site comprises a parcel of undeveloped grassland which is bordered by sporadic trees and hedging. The site is part of an agricultural holding which is owned and managed by the residents of Gate House Farm, which is located to the south of the application site on Vicarage Lane. Current agricultural activity takes place on the site only at a very low level, generally for occasional grazing.
- 2.4 The site currently benefits from vehicular access off Hillock Lane. An alternative vehicular access into the site is currently via Vicarage Lane and through Gate House Farm.
- 2.5 The topography of the site is generally flat and there are no buildings on the site. A Public Right of Way (PROW) runs through the site in a north-south direction, connecting Hillock Lane to the north, with Vicarage Lane to the south.
- 2.6 The site is bound by agricultural fields to the south, west and east. To the immediate north of the site is Hillock Lane, as well as 4no. large detached properties: Broadleas, Brantwood and Barnhill House and Hillock Farm. Beyond Hillock Lane to the north are detached residential dwellings located on Stancliffe Avenue. A small electricity substation is located to the very northeastern corner of the site, outside of the site boundary.
- 2.7 The site is well connected, with the nearest junction onto the A483 being a 5-minute drive from the application site. There are local bus stops located approximately 900m (10-minute walk) from the local bus stops providing public transport to and from key destinations such as Wrexham and Chester. A Co-op food store is a 13-minute walk from the application site and there are a number of local services including schools, a doctor's surgery and places of worship approximately 1km to the west of the site. As such, the site is within an accessible and sustainable location within Gresford.

Allocations / designations

- 2.8 Wrexham County Borough Council's Unitary Development Plan Map shows that the site is outside of, but adjoins the Gresford Settlement Limit. Gresford is classed as a 'Tier 2' settlement, also known as a 'Key Settlement'. A Key Settlement is defined by Wrexham County Borough Council as a "settlement which supports communities, but which are dependent upon the Primary Key Settlement for some key amenities". The closest Primary Key Settlement to the application site is Wrexham Town, located approximately 4.5km to the southwest of the application site.
- 2.9 The site is within the designated Green Barrier, but is not within a Special Landscape Area. According to the Natural Resources Wales Development Advice Map, the entirety of the site is within Flood Zone A (little or no risk of fluvial or coastal/tidal flooding). A PROW runs north-south through the site (PROW ref. MAR 5) which connects Vicarage Lane and Hillock Lane.
- 2.10 In terms of planning designations close to the site, the land to the south of Vicarage Lane is a Special Landscape Area and a Biodiversity Conservation Area. Land to the southeast of Gatehouse Farm on Vicarage Lane is a RAMSAR site, titled Midland Meres & Mosses Phase 2, and a Site of Special Scientific Interest (SSSI) titled "Vicarage Moss". There is a Grade II listed cottage on the northern side of Vicarage Lane named "Greenbank" – such building is some 500m from the application site boundary.
- 2.11 The site is within two separate Unitary Authority Electoral Divisions; Gresford East & West and Marford and Hoseley.

Planning History

- 2.12 There are no historic planning applications directly associated with the site. The site was however the subject of pre-application discussions with the Council during late 2018. A summary of the Council's response is as follows:
- *The site lies outside of a settlement and is within a Green Barrier. The development of the site would therefore conflict with policies PS1 and EC1 of the Wrexham Unitary Development Plan.*
 - *Most of the site is likely to consist of Grade 2 agricultural land, therefore developing the site would also conflict with policy EC2.*
 - *The need to increase the supply of housing land weighs heavily in favour of the proposed development. It is acknowledged that the site would contribute significantly towards meeting housing need. It will not be possible to meet the County Borough's future housing*

requirements without the release of greenfield sites and in light of this policy PS1 is now outdated and therefore afforded less weight in the determination of planning applications.

- The proposal is inappropriate development within the Green Barrier. There must be very exceptional circumstances to grant individual planning applications for housing development in Green Barriers. Whilst the need to increase the supply of housing land is a significant material consideration, other appeal decisions in the County Borough would suggest that by itself it is not necessarily considered to meet the test of exceptional circumstances needed to justify departing from the UDP Green Barrier designation.*
- Planning Policy Wales advises that the agricultural land classed as Best and Most Versatile (BMV) (Grades 1, 2 and 3a) should only be developed if there is an overriding need for the development. Given the significant need to increase the supply of housing land in Wrexham, in my opinion the conflict with policy EC2 would not provide a valid reason for refusal in this instance.*
- Any formal planning application must nevertheless take account of the requirements of the policy and demonstrate that the development will not unnecessarily sterilise potentially workable mineral resources*

Pre-application Consultation

- 2.13 In accordance with the legislative requirements of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order, we have carried out a Pre-application Consultation (PAC) exercise with key stakeholders.
- 2.14 The 28-day consultation period began on 17th March 2020, but was extended on 20th April 2020 due to the challenges presented by Covid-19. The consultation period formally ended on 19th May 2020. We liaised with statutory consultees such as Natural Resources Wales, Welsh Water, WCBC Highways and Gresford Community Council, as well as Local Councillors. We also received a large number of representations from residents of Gresford and the surrounding villages. All consultee comments have been taken into consideration and the scheme has been amended accordingly.
- 2.15 Full details of the PAC exercise are provided within the Pre-Application Consultation Report submitted as part of the current planning application.

3. THE PROPOSED DEVELOPMENT

New development

- 3.1 The proposal seeks the provision of 109no. residential dwellings. The breakdown of the proposed units is as follows:
- 6no. 1 bed apartments;
 - 6no. 2 bed apartments;
 - 1no. 2 bed mid-terrace dwellings;
 - 14no. 2 bed semi-detached dwellings;
 - 1no. 3 bed mid-terrace dwellings;
 - 4no. 3 bed end-terrace dwellings;
 - 18no. 3 bed semi-detached dwellings;
 - 10no. 4 bed detached dwellings;
 - 22no. 4 bed detached dwellings with integral garage; and
 - 27no. 5 bed detached dwellings.
- 3.2 28 of the proposed 109 dwellings (25%) are to be affordable housing.
- 3.3 The dwellings will be accessed via a new access road leading southward into the site from Hillock Lane. Such access will fork, with the eastern route providing vehicular access to no's 6-39 and the western access providing vehicular access to no's 40-105. Property no's 1-5 and 106-109 are to be accessed at the entrance to the site.
- 3.4 It is proposed to widen Hillock Lane to a width of 8m and to provide the site entrance within the widened section of the carriageway. Sufficient visibility splays are to be provided to both the east and west. A priority giveaway arrangement is also to be provided immediately to the west of Stancliffe Avenue and will include a pedestrian crossing, road markings and signage.
- 3.5 A new pavement is to be provided on the southern edge of the carriageway from the point where the PROW meets Hillock Lane, to the edge of the site to the east. On the northern side of Hillock Lane, a new pavement is to be provided from the junction at Stancliffe Avenue towards the curve of Hillock Lane. Such interventions will provide a continuous footway from the application site to Chester Road and into Gresford.
- 3.6 Each dwelling will benefit from private off-street parking and private rear garden areas. A large 1.42ha area of Public Open Space is to be provided to the centre of the site, providing public amenity space for residents.

- 3.7 The existing PROW which runs north-south through the site is to be retained and repositioned in order to accommodate the new access road through the site. The PROW will be bordered by open green space and areas of tree planting, before reaching the western boundary of plots 104 and 109 and subsequently adjoining Hillock Lane. The amended position of the PROW will remain fit for public use and will be convenient and enjoyable to users.
- 3.8 One 'low quality' tree is to be removed to facilitate the development, as well as one 'low quality' hedgerow and one small vegetation group.

Key benefits

- 3.9 There are several key benefits linked to the development of the site and the provision of 109no. new dwellinghouses. Such benefits can be summarised as follows:
- The effective and efficient use of vacant, underused land within a Tier 2 'Key' Settlement, adjoining the settlement boundary and adjacent to existing residential development.
 - The provision of much-needed housing in a borough where there has been a persistent and considerable undersupply of housing in recent years, where a five-year housing land supply cannot be demonstrated, and where there will be a shortfall of dwellings upon adoption of the emerging Local Development Plan.
 - The provision of much-needed affordable housing within the village of Gresford.
 - Improvements to highway safety on Hillock Lane and Stancliffe Avenue.
 - The provision of residential accommodation in a sustainable location close to local facilities, services and sustainable transport options.
 - The safeguarding of the amenity of local residents.
 - The retention and enhancement of an existing Public Right of Way.

4. POLICY AND LEGISLATIVE FRAMEWORK

- 4.1 This section provides an overview of the Development Plan and other material considerations relevant to the consideration of these proposals, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 4.2 In the context of this application for planning permission, planning policy operates at two levels:
- **National** | The Welsh Government produce the Planning Policy Wales ('PPW') (Edition 10, December 2018) and supporting guidance in the form of planning policy guidance and Technical Advice Notes ('TANs').
 - **Local** | The Adopted Development Plan is composed of the Wrexham Unitary Development Plan (UDP) (adopted February 2005) and Local Planning Guidance notes.

National Policy

- 4.3 The Planning Policy Wales document (PPW), published in December 2018, sets out the Government's planning policies for Wales and how these are expected to be applied. The key theme throughout PPW is the presumption in favour of sustainable development.
- 4.4 Chapter 2 of PPW states that all development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.
- 4.5 Chapter 2 of the PPW continues that planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working (prevention, collaboration, involvement, integration and long term) ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.
- 4.6 The Technical Advice Notes most relevant to the proposed development include:
- TAN1 – Joint housing land availability studies
 - TAN2 – Planning and affordable housing

- TAN5 – Nature conservation and planning
- TAN12 – Design
- TAN15 – Development and flood risk
- TAN18 – Transport

4.7 Paragraph 6.2 of TAN1 set out that the housing land supply figure should be treated as a material consideration in determining planning applications for housing. It states that where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study, the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies.

4.8 In 2018 the Welsh Minister disapplied paragraph 6.2 of TAN 1. A statement issued set out that as a result of the de-application of this paragraph, it will be a matter for decision makers to determine the weight to be attributed to the need to increase housing land supply where an LPA has a shortfall in its housing land. Appeal decisions since 2018 have however continued to attach significant weight to the benefit of additional residential units to LPAs' housing land supply.

4.9 A Ministerial letter dated 26 March 2020 set out that high quality new homes in the right locations are essential for our future wellbeing. Accordingly, a number of changes to Welsh planning policy were announced including:

- Revisions to the 'Housing Delivery' section of Planning Policy Wales, edition 10 (PPW). The changes remove the five-year housing land supply policy and replace it with a policy statement making it explicit that the housing trajectory, as set out in the adopted LDP, will be the basis for monitoring the delivery of development plan housing requirements as part of LDP Annual Monitoring Reports (AMRs).
- The revocation of Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies (January 2015) in its entirety as a consequence of the policy change to PPW.
- Publication of the Development Planning Manual, Edition 3 (DPM) which provides additional guidance on the process of monitoring against the housing trajectory.

Wrexham County Borough Council's Development Plan

4.10 The Adopted Development Plan consists of the Wrexham Unitary Development Plan (UDP) (adopted February 2005) and Local Planning Guidance notes.

4.11 The relevant policies within the Development Plan include:

Wrexham Unitary Development Plan Policies

- PS1 Strategic Policy
- PS2 Strategic Policy
- GDP1 Development Objectives
- GDP2 Capacity of Infrastructure and Community Facilities
- EC1 Green Barriers
- EC2 Agricultural Land
- EC4 Hedgerows, Trees and Woodland
- EC6 Biodiversity Conservation
- EC9 Listed Buildings
- EC11 Archaeology
- EC13 Surface Water Run-off
- H5 Housing in the Countryside
- H7 Affordable Housing
- CLF5 Open Space Requirements from new Residential Developments
- CLF6 Informal Recreation
- T8 Parking

- MW9 Protection of Mineral Resources

Other material considerations

4.12 Other policy documents / guidance notes that this planning application has considered include:

Local Planning Guidance Notes

- LPG10 Public Open Space on New Housing Developments
- LPG16 Parking
- LPG17 Trees and Development
- LPG27 Developer Contributions to Schools
- LPG28 Affordable Housing
- LPG30 Design

Emerging Planning Policy

- 4.13 Wrexham County Borough Council is preparing the Local Development Plan (LDP) (2013-2028) which will replace the current adopted Unitary Development Plan. Hearing sessions on the Plan took place in September 2019 and again in March 2020. The Examination has been suspended from 01 June 2020 to 31 August 2020 as the Inspector has concerns in relation to the site selection process for Gypsy and Traveller sites. Wrexham's website specifies that the Inspector's Report will be issued no later than 31 December 2020.
- 4.14 The Council have not yet issued an anticipated date for the formal adoption of the LDP. However, given the advanced stage of the UDP, it is considered that some weight must apply to the proposed plan.
- 4.15 The application site is not allocated for housing in the emerging UDP, but is on the Council's list of reserve sites with an approximate capacity of 10-15 dwellings.
- 4.16 The Council's Strategic Green Wedge Review (2016) was prepared as part of the evidence base to support the preparation of the Preferred Strategy. The current adopted Unitary Development Plan uses the term Green Barrier to define areas of land between settlements where it is desirable to maintain the openness of the area, and to ensure that settlements do not coalesce, amongst other things, as defined in national Planning Policy Wales. The functions of the Green Barrier and the Green Wedge are the same.

- 4.17 The Green Wedge Review assessed the requirement for Green Wedge designation surrounding the settlement limit of Wrexham Town and the surrounding villages. Land off Hillock Lane has been assessed under 'Area 3: Wrexham North East' and it is concluded that such area will not be designated as Green Wedge going forward.

Wrexham County Borough Council Housing Land Supply Position

- 4.18 The Council's UDP plan period is 1996-2011 and is therefore time expired. In accordance with national policy, the absence of an up-to-date development plan renders the Council without a five-year land supply for housing.
- 4.19 As referred to above, in 2018, the Welsh Minister disappplied paragraph 6.2 of TAN 1 which places significant weight on the housing land supply in the determination of planning decisions. Appeal decisions since 2018 do however continue to attach considerable weight in the benefit of additional residential units to LPAs' housing land supply. Such decisions are set out below.

Relevant case law

- 4.20 Appeal Ref: APP/H6955/A/19/3240973 for 44 dwellings at Land West of Bryn Isa, Gresford was dismissed on 24th April 2020. The site lies outside of the settlement limit and has a Green Barrier designation. Unlike Land off Hillock Lane, the site is within a Special Landscape Area. The Inspector set out that *"the site's intrinsic value arises from the undeveloped and open field, gently undulating upwards towards the settlement of Gresford. This contributes to the countryside's fundamental beauty and the setting of the village"*. The Inspector also states that the proposals would *"result in an irreversible and obvious loss of an undeveloped part of the countryside to encroachment, which is a threat to the SLA hereabouts"*. The Inspector's report also set out that the scale of the development proposed increases the potential for vehicle/pedestrian conflict and that the proposal would not provide safe links to public transport stops.
- 4.21 Regarding housing supply, the Inspector stated *"Whilst the eLDP is at an advanced stage, I am mindful that the Plan's examination is still ongoing, and the Inspectors are yet to submit their report. In such circumstances I consider that only limited weight can be given to the eLDP. Nonetheless, it is not for me to make a judgement on the outcome of the ongoing LDP examination. Therefore, as it stands there is a need for housing, a matter which weighs significantly in favour of the appeal"*.
- 4.22 The Inspector attached "significant weight" to the proposal's contribution to housing supply incl affordable housing, but concluded overall that the benefits do not comprise the very exceptional circumstances necessary to clearly outweigh the harm to the green wedge. It is important to note that whilst considering other planning and appeal decisions within the local area which concluded that very special circumstances exist justifying development within the Green Barrier, in this case, harm was found to both highway safety as well as character and appearance.

- 4.23 Appeal ref. APP/H6955/A/19/3231048 for 132 dwellings at Land North and South of Lane Farm, Rossett, was allowed on 14th November 2019. Similar to Land off Hillock Lane, this site also lies outside the settlement limit and is located within Green Barrier. However, unlike the application site, the appeal site is within a Special Landscape Area.
- 4.24 Regarding housing land supply, the Council acknowledged that it is unable to demonstrate a 5 year housing land supply. The Council also acknowledged that the submitted LDP identifies a need for land to be brought forward for development to meet the Plan's housing requirements. The Inspector commented that *"The time-expired UDP, the lack of housing land supply and the consistency of the appeal proposal with the emerging LDP, coupled with the sustainable location and positive benefits of the scheme, weigh substantially in favour of the development. Indeed, in balancing these matters, I consider that they comprise the very exceptional circumstances required to clearly outweigh the harm to the Green Barrier and its wider countryside/landscape status"*.
- 4.25 Other notable appeals include appeal ref. APP/H6955/A/19/3233167 for 23no. houses on a Green Barrier site outside of the settlement limit and on BMV land – this appeal was allowed due to the Council's inability to demonstrate a five year housing land supply.
- 4.26 Appeal ref. APP/H6955/A/17/3182282 for 189no. dwellings was allowed on a Green Barrier site outside of the settlement limit and on BMV land – again, the lack of housing land supply carried 'significant' weight in favour of the appeal.
- 4.27 An appeal is also currently in progress for Land West of Top Road, Summerhill, Wrexham. This application submitted by McBryde Homes is for 82 dwellings and was refused by the Council's Planning Committee in March 2020 due to impacts on Green Barrier, BMV land and on highway safety. It is important to note that the scheme received a recommendation for approval by the Council's Planning Department. The Officer's Report noted that the site is outside of the settlement limit, is within a Green Barrier and includes BMV land. However, when balanced against the *"age of the UDP, the acknowledged housing need, an on-going and considerable undersupply of housing, and identified need for affordable housing and the considerable benefits to highway safety"*, the considerations constitute very exceptional circumstances. On housing land supply, the Officer's report refers to a shortfall of 94 dwellings over the Plan period.

Summary

- 4.28 The proposed development has been prepared taking account of relevant planning policies, including the adopted Development Plan for Wrexham County Borough Council and the relevant national planning policy and guidance.

4.29 Wrexham County Borough Council does not have an up to date development plan, meaning that the housing land supply within the County is judged as zero. The Council have, as part of recent decision making, acknowledged that upon the adoption of the eLDP, the Council will have a shortfall of 94 dwellings and that this can only be met by identifying additional land for residential development.

5. KEY PLANNING CONSIDERATIONS

5.1 This section assesses the proposals, highlighting the key planning considerations relevant to the assessment of the planning application, by taking each element of the scheme in turn:

- Principle of development;
- Affordable housing;
- Design (mass, scale, layout, and detailing);
- Internal quality;
- Impact on neighbouring amenity;
- Heritage impacts and archaeology;
- Trees and landscape;
- Ecology;
- Environmental Impact Assessment (EIA);
- Flood risk and drainage; and
- Transport and accessibility.

Principle of development

The need for housing

5.2 Wrexham Council's adopted Unitary Development Plan is out of date and the Council are subsequently unable to demonstrate a five year housing land supply. The Council have also suffered a persistent and considerable undersupply of housing in recent years. Notwithstanding the dis-application of paragraph 6.2 of TAN 1, the need to increase the supply of housing land within Wrexham is a significant material consideration that weighs in favour of the development.

- 5.3 The Council have also acknowledged that upon adoption of the emerging Local Development Plan, anticipated later this year, there will be a shortfall of 94 dwellings and that this can only be met by identifying additional land for development.
- 5.4 The proposal is a realistic opportunity to make a meaningful contribution to the Council's housing land supply which has been persistently and considerably lacking in recent years. The Council are unable to demonstrate sufficient land supply moving forward towards their adoption of the emerging Local Development Plan and the proposals will greatly assist with this shortfall.

Development of the countryside

- 5.5 Paragraph 3.39 of PPW sets out that when identifying development sites, planning authorities should consider previously developed land located within existing settlements in the first instance, with sites on the edge of settlements considered at the next stage. Paragraph 3.40 continues that where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites, consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements.
- 5.6 PPW paragraph 3.56 states that development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation.
- 5.7 Policy PS1 of the Wrexham UDP sets out that new development for housing, employment, and community services will be directed to within defined settlement limits/employment areas. Policy H5 states that new dwellings will not be permitted outside defined settlement limits unless they are for infilling, conversions, subdivisions, for agricultural / forestry workers or for small-scale affordable housing schemes. Notwithstanding this, as referred to above, the Council's current development plan is time expired. As such, their policies on the preferred location for new housing development are inapplicable.
- 5.8 Although the site lies outside of the settlement area of Gresford, it directly adjoins the settlement boundary and fits appropriately into the settlement pattern being adjacent to a large residential housing estate. The proposed 109no. dwellings would be located on the edge of a 'Tier 2 Settlement', regarded by national planning as a growth area which can accommodate future development. It is important to note that as part of the LDP preparation, the Council have allocated significant areas of greenfield land for housing. This is material to the determination of the current application, not least because it demonstrates that the identified housing need cannot be met without the release of currently protected greenfield land.

5.9 WCBC have advised that they have not promoted any housing land within the Tier 2 Settlement of Gresford due to 'the lack of constraint-free, deliverable sites'. As part of the preparation of the emerging LDP, the Council considered the application site to fail stage 1 of the Candidate Site Assessment Process detailing that the local highway network is considered to be of insufficient width / design to serve a proposed residential development of 300+ dwellings. The Council's response specified that Hillock Lane suffers from inadequate carriageway width and lack of footways. As set out below, it is now evidenced through the current application submission that the development can be achieved with safe access, adequate parking and without adversely affecting the highway network.

Green Barrier / Wedge

5.10 PPW states that the purpose of Green Belts (also known as Green Barrier or Green Wedge) is to:

- *prevent the coalescence of large towns and cities with other settlements;*
- *manage urban form through controlled expansion of urban areas;*
- *assist in safeguarding the countryside from encroachment;*
- *protect the setting of an urban area; and*
- *assist in urban regeneration by encouraging the recycling of derelict and other urban land.*

5.11 Paragraph 3.71 PPW sets out that the construction of new buildings in the Green Belt is inappropriate development unless it is for the following purposes:

- *justified rural enterprise needs;*
- *essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it;*
- *limited extension, alteration or replacement of existing dwellings; or*
- *small scale diversification within farm complexes where this is run as part of the farm business.*

5.12 Paragraph 3.70 continues that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt.

5.13 UDP Policy EC1 (Green Barriers) states that within Green Barriers, development will only be granted planning permission if it is for agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries and other uses of land which maintain the openness of the Green Barrier and do not conflict with the purpose of including land within it.

- 5.14 The site is currently within a Green Barrier designation, yet this is to be removed upon adoption of the emerging LDP. However, in terms of current UDP policy EC1 and paragraph 3.71 of PPW, the proposal would have to be classified as 'inappropriate development', as it does not meet one of the exceptions and is a departure from the development plan.
- 5.15 In assessing the proposed development alongside PPW policy on the purpose of Green Barriers, the development will remain appropriate to the existing urban form of Gresford given the existence of the dwellings immediately to the west of the site on Hillock Lane, those further east on Hillock
- 5.16 As confirmed within the LVIA submitted in support of the application, the proposal would result in the southern extension of Gresford village and some encroachment of the countryside. However, the proposal site would not cause the coalescence of Gresford with any neighbouring settlement. The proposal site is greenfield land and would not involve the recycling of derelict or urban land however the proposal would encourage the widening of the narrow road of Hillock Lane and would allow the setting of Gresford to be protected. There are no other suitable brownfield sites within the settlement of Gresford which would serve the Council's need for housing land.
- 5.17 As referred to above, upon adoption of the emerging LDP, the application site is to lose its Green Barrier designation and the site will not be allocated as Green Wedge going forward. The forthcoming Green Wedge allocations for the borough are considered to act as buffers between settlements needed to prevent settlement coalescence in areas under pressure for development, and the application site 's contribution is not required. The omission of the Green Barrier / Green Wedge allocation from the application site is a clear indication that the retention of the site as undeveloped greenfield land is not necessary.
- 5.18 The Council is unable to demonstrate a five year housing land support. Moreover, they will remain to have a deficit of 94 dwelling upon adoption of the emerging LDP. Recent appeal decisions have confirmed that the need to increase the supply of housing weighs significantly in favour of housing developments in Green Barrier locations, and Council officers have recognised that sustainable Green Barrier sites must be released as part of the emerging plan process.
- 5.19 The application site is located adjacent to the built form of Gresford and therefore represents a logical extension to the settlement. It is located in a sustainable location close to the centre of the village and to public transport links, which will be safely accessed as a result of the pedestrian safety interventions put forward as part of the current proposals. In addition, the development is deliverable and will provide 28no. affordable homes for the village of Gresford.
- 5.20 We therefore consider the site's current designation within the Green Barrier to be outweighed by both the Council's current and future lack of housing land supply and its forthcoming omission from the Green Wedge, as well as by the positive benefits put forward by this proposal. Very

exceptional circumstances apply to outweigh any harm to the Green Barrier, in accordance with paragraph 3.70 of PPW.

Agricultural Land Classification

- 5.21 Paragraph 3.54 -3.55 of PPW states that Best and Most Versatile (BMV) Agricultural Land should be conserved as a finite resource for the future and that such land should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.
- 5.22 Policy EC2 (Agricultural Land) of the UDP sets out that development on agricultural land of grades 1,2 or 3a will only be permitted if it does not lead to the irreversible loss of that land.
- 5.23 The Agricultural Land Classification Report submitted as part of this application confirms that the site is Best and Most Versatile Grade 2 Agricultural Land. When considering that there is a significant need for housing development within the County Borough, it is inevitable that this will require some development on BMVL.
- 5.24 This is reiterated in the LDP Deposit Plan which states at paragraph 4.4 that *“there will inevitably be some degree of conflict between the Objectives, as the LDP preparation process involves balancing competing aims, such as protecting high quality agricultural land and providing development opportunities beyond established settlement boundaries”*.
- 5.25 During pre-application discussions with the Council, Planning Officers reiterated that PPW sets out that BMV land should only be developed if there is an overriding need for the development, but advised that *“given the significant need to increase the supply of housing land in Wrexham, in my opinion the conflict with policy EC2 would not provide a valid reason for refusal in this instance”*.
- 5.26 In addition, the County Borough have accepted in certain instances that impact on BMVL will be expected in order to meet local needs. For example, in relation to key strategic housing sites the Deposit Plan states there will be an *‘impact on Best and Most Versatile agricultural land and minerals of national importance, however the need to provide housing, infrastructure and other community facilities in sustainable locations outweighs the need to protect these resources in this instance’*.
- 5.27 When considering the above, on balance the overall contribution the proposed allocation would make to the local area and the identified need for housing within the County Borough; it is considered the loss of BMV land can be justified in this instance.

Summary of principle of development

- 5.28 In summary, the site is located within a sustainable location with access to non-car transport modes and a number of local amenities including primary services as well as leisure facilities. The site adjoins the boundary of a Tier 2 Settlement where no housing land has been allocated, and is to be removed from the Green Barrier upon adoption of the emerging Local Plan. Such matters are material considerations which together suggest that the site is an appropriate and sustainable location for new housing development. The need to increase the supply of housing land weighs significantly in favour of the application and the contribution the development would make towards housing supply both in Gresford and within Wrexham Borough is significant.

Affordable Housing

- 5.29 Policy H7 of the UDP sets out that where there is a proven lack of affordable housing to meet local needs, the Council will negotiate with developers to provide an element of affordable housing in new proposals of 25 or more homes.
- 5.30 LPG28 recommends a provision of 25% and as such, 28 (25%) of the 109 dwellings proposed are to be delivered as affordable units.

Design (mass, scale, layout, and detailing)

- 5.31 UDP policy GDP1 (Development Objectives) states that all new development should ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality. New development should also take account of personal and community safety and security in the design and layout of development and public / private spaces.
- 5.32 Policy CLF 5 (Open Space Requirements from new Residential Developments) requires new development of ten dwellings or more to provide informal public open space within the site at a minimum level of 0.4 hectare per 50 dwellings. Such space must be conveniently located for users, and usable for playing fields and/or equipped children's play areas and open amenity areas.
- 5.33 The proposed site layout takes cues from the existing residential development to the north of the site in terms of density and layout. The proposed dwellings are to be accessed via a new road leading southward into the site from Hillock Lane which will lead to 8no. cul-de-sacs.
- 5.34 Full justification for the proposed design is set out within the Design and Access Statement accompanying the planning application submission and prepared by project architects Owen Ellis.

- 5.35 As shown on the site layout, the housing density for the site area is 16.2 dwellings per hectare. The level of public open space is 1.42 hectares, which is beyond the minimum level required by policy CLF 5.

Internal quality

- 5.36 As shown on the submitted floor plans, all dwellings are generously sized and will provide good levels of outlook; with the majority of houses and apartments being triple-aspect. The dwellings have been positioned as to provide good levels of privacy, as well as good levels of natural daylight and sunlight.

Impact on neighbouring amenity

- 5.37 We do not consider the proposals to impede the amenity of any local residents. Those residents closest to the site are Broadleas, Brantwood and Barnhill House and Hillock Farm which adjoin the application site to the north. Adjacent to the application site on Hillock Lane are further residential dwellings. There is sufficient distance between the new development and these dwellings so as not to cause harm to the levels of natural daylight, privacy and outlook currently enjoyed by these neighbours.

Heritage impacts and archaeology

- 5.38 Paragraph 6.1.7 of PPW sets out that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.
- 5.39 UDP policy EC9 (Listed Buildings of Special Architectural or Historic Interest) states that development must respect the setting and character of the listed buildings or structures.
- 5.40 Policy EC11 of the Wrexham UDP (Archaeology) states that development that directly affects non-scheduled sites of archaeological importance will only be permitted if an archaeological investigation has been carried out to determine the nature, extent and significance of the remains, and this investigation indicates that in-situ preservation is not justified, and a programme of excavation and recording has been agreed.
- 5.41 The site is not within close proximity to a conservation area and the closest listed building to the site is "Greenbank", located some 500m to the southwest of the site.
- 5.42 A Heritage Assessment has been prepared by BWB and is submitted as part of the current application. The Assessment reaffirms that there are no Conservation Areas, Scheduled Ancient Monuments or Battlefields within the Site. It has however established that there is a recorded

heritage asset within the site; a Roman coin. As a result of this finding, the Assessment recommended that further archaeological work on the site was to be carried out to allow for a full assessment of what below ground archaeology may be present.

- 5.43 A Written Scheme of Investigation was submitted to and approved by the Council's Development Control Archaeologist in January 2020. A Geophysical Survey was then subsequently carried out by TigerGeo and was put before the Council's Archaeologist in February 2020, who advised that a test trench evaluation will be required to provide further information on the presence of any archaeological deposits. A Written Scheme of Investigation WSI detailing the scope of the works required for the test trenching has recently been approved by Mark Walters.
- 5.44 As a result of current circumstances and restrictions surrounding Covid-19, archaeological contractors are not currently operating and the test trenching works have not been undertaken. In light of these unprecedented circumstances, we request that the archaeological fieldwork is subject to a pre-commencement condition.

Trees and landscape

- 5.45 Policy EC4 of the Wrexham UDP (Hedgerows, Trees and Woodland) states that development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape features, and include new planting in order to enhance the character of the landscape and townscape. It continues that development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.
- 5.46 A Tree Survey and Arboricultural Impact Assessment (AIA) have been prepared and accompany the planning application submission. The AIA concludes that the proposal requires the removal of 1no. Category A tree to the north-western border of the site, a small tree group to the western part of the site, and a hedgerow to the centre of the site. All other existing trees and hedgerows are to remain in situ.
- 5.47 A scheme for new tree and hedge planting is to be devised and will be submitted as part of a Reserved Matters application.

Ecology

- 5.48 As set out above, Policy EC4 (Hedgerows, Trees and Woodland) seeks to conserve wildlife. Policy EC6 (Biodiversity and Conservation) states that development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Policy EC6 continues that measures to improve the biodiversity value of sites and enhance

their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

- 5.49 An Extended Phase 1 Habitat Survey has been prepared by Penny Anderson which has examined all data records for protected sites, habitats and species held by Cofnod, the biological records centre for North Wales, as well as other data repositories, in order to ecologically characterise and contextualise the site within the surrounding area. The Survey has been submitted to the Council however is a confidential report which cannot be publicised.
- 5.50 The Phase 1 Report confirms that there are no statutory or non-statutory sites of ecological importance immediately adjacent to the site and as such no adverse impacts are anticipated as a result of the development. In terms of resulting impacts on protected species, the Phase 1 assessment recommended the preparation of a bat survey and a badger survey to assess the presence of the protected species.
- 5.51 A Badger Survey was carried out and confirms the presence of an active badger sett on the site. The proposed mitigation / protection of the sett includes the provision of a buffer around it for protection. The Badger Survey has been submitted to the Council however again is a confidential report which cannot be publicised.
- 5.52 The Bat Survey confirms that no bat roosts were found in any of the trees and therefore no further action with regards to bats is required.
- 5.53 During the Pre-application Consultation exercise, Natural Resources Wales (NRW) objected to the proposals, pending the submission of an assessment in respect of impact upon Great Crested Newts. In response to this, we would firstly highlight that NRW have not had sight of the Phase 1 Report given it is a confidential document. Penny Anderson have also since confirmed that there are no waterbodies on the site, nor are there any within 250m of the red line boundary as shown on the below map. In addition, the existing houses and Hillock Lane to the north of the site represent a significant barrier to GCN movement effectively isolating the site.



Map showing a 250m buffer around the site with no waterbodies present

- 5.54 A Report to Inform Habitats Regulations Assessment has also been prepared by Penny Anderson. The report confirms that the application site is assessed as having no likely significant effects on the qualifying features of the Midland Meres and Mosses Phase 2 RAMSAR Site at this location and as such, no Appropriate Assessment is predicted to be required going forward.

Environmental Impact Assessment (EIA)

- 5.55 An EIA Screening Request was submitted to Wrexham County Borough Council in tandem with the pre-application consultation, in order to ascertain whether the proposed development would require an Environmental Impact Assessment.
- 5.56 The report accompanying the Screening Request assessed that the extent of the impact of the development proposals is localised due to the nature and characteristics of the end use, and mitigation will be proposed where necessary. It continued that there would be a number of positive impacts to be created including provision of a new public open space and local highways improvements for both vehicles and pedestrians. The report concluded that the impacts of the proposed development would not give rise to significant impacts that would warrant an EIA to be undertaken.

- 5.57 The EIA Screening Opinion was submitted to Wrexham CBC on 24th April 2020. The Council issued their Screening Opinion on 12th May 2020, confirming that the development will not need to be subject to an Environmental Impact Assessment.

Flood risk and drainage

- 5.58 PPW and TAN 15 (Development and Flood Risk) requires Flood Consequence Assessments to review flooding from all potential sources. TAN 15 sets out that Sustainable Drainage Systems (SuDs) can perform an important role in managing run-off from a site and should be implemented, wherever they will be effective, in all new development proposals, irrespective of the zone in which they are located.
- 5.59 UDP Policy ED13 (Surface Water Run-off advises that development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.
- 5.60 The entirety of the application site is located within Flood Zone A (little or no risk of fluvial or coastal/tidal flooding) according to the Natural Resources Wales flood risk map. The Flood Consequences Assessment supporting this application concludes that the site has a negligible fluvial risk of flooding, a very low or low surface water risk of flooding, and a negligible risk of groundwater flooding.
- 5.61 In terms of drainage, a Sustainable Urban Drainage Strategy has been prepared and is submitted as part of this application. The proposals seek to drain foul water from the development to the nearby public foul sewer located within Stancliffe Avenue, subject to approval from Welsh Water. We are aware that there may be a requirement to split the flows and when this is confirmed, including what the percentage split will be, the scheme can be updated accordingly.
- 5.62 In order to mitigate the surface water risk of flooding, the Strategy proposes surface water from the adoptable highway to be piped to a new infiltration basin located to the southern part of the Public Open Space. Such feature would provide temporary storage, biological treatment of the water and improve the biodiversity of the location prior to infiltrating water into the ground. Surface water from the proposed dwellings is to be collected by rainwater harvesting butts prior to discharging to soakaways with rear garden areas.

Transport and accessibility

- 5.63 At paragraph 4.1.52, PPW outlines that planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. Car parking should be overlooked by surrounding properties, to provide natural surveillance

- 5.64 TAN 18 (Transport) sets out that developers should be required by local authorities to submit transport assessments to accompany planning applications for developments that are likely to result in significant trip generation. Annex D of TAN 18 affirms that the threshold for residential developments is 100 units or more.
- 5.65 UDP policy GDP1 (Development Objectives) sets out that all new development should ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.
- 5.66 Policy T8 of the UDP (Parking) advises that development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. LPGN no.16 sets out that 1 bedroom dwellings require 1.5 car parking spaces per unit, those with 2 bedrooms require 2 space, 3/4 bedrooms require 3 spaces and 5+ bedrooms require 4 spaces. The guidance specifies that driveways should be wide enough to allow pedestrian access alongside parked cars, and that garage will not be counted as contributing towards on-site parking provision. All properties conform to the Council's parking standards.
- 5.67 A Transport Assessment has been prepared, fully evidencing that the site can be accessed in a safe and efficient manner of Hillock Lane and that the access point has been designed in accordance with current design guidelines.
- 5.68 It is proposed to widen Hillock Lane to a width of 8m and to provide the site entrance within the widened section of the carriageway. Sufficient visibility splays are to be provided to both the east and west. A priority giveaway arrangement is also to be provided immediately to the west of Stancliffe Avenue and will include a pedestrian crossing, road markings and signage. Such feature will give priority travelling westwards towards Gresford, allowing traffic heading toward Wynnstay Lane to be slowed.
- 5.69 A new pavement is to be provided on the southern edge of the carriageway from the point where the PROW meets Hillock Lane, to the edge of the site to the east. On the northern side of Hillock Lane, a new pavement is to be provided from the junction at Stancliffe Avenue towards the curve of Hillock Lane. Such interventions will provide a continuous footway from the application site to Chester Road, allowing future residents to safely travel between the site and Gresford on foot.
- 5.70 All dwellings have been designed to provide adequate off-street parking in full accordance with the Council's current parking standards.
- 5.71 The existing PROW which runs north-south through the site is to be retained and repositioned in order to accommodate the new access road through the site. The PROW will be bordered by open

green space and areas of tree planting, before reaching the western boundary of plots 104 and 109 and subsequently adjoining Hillock Lane. The amended position of the PROW will remain fit for public use and will be convenient and enjoyable to users.

6. SUMMARY AND CONCLUSIONS

6.1 In summary, the planning objectives and benefits of the proposed scheme are:

- The effective and efficient use of vacant, underused land within a Tier 2 'Key' Settlement, adjoining the settlement boundary and adjacent to existing residential development.
- The provision of much-needed housing in a borough where there has been a persistent and considerable undersupply of housing in recent years, where a five-year housing land supply cannot be demonstrated, and where there will be a shortfall of dwellings upon adoption of the emerging Local Development Plan.
- The provision of much-needed affordable housing within the village of Gresford.
- Improvements to highway safety on Hillock Lane and Stancliffe Avenue.
- The provision of residential accommodation in a sustainable location close to local facilities, services and sustainable transport options.
- The safeguarding of the amenity of local residents.
- The retention and enhancement of an existing Public Right of Way.

6.2 The proposed development is undoubtedly a positive intervention at the site and one which brings with it a sustainable, long-term solution for maximising the efficient use of the site.

A1. SUPPORTING DOCUMENTATION

A0.1 The application for Outline Planning Permission is supported by the following drawings and reports:

- Full suite of architectural drawings (Owen Ellis)
- Design and Access Statement (Owen Ellis)
- Planning Statement (Iceni) (this document)
- Transport Assessment (Croft)
- Landscape and Visual Impact Assessment (TPM Landscape)
- Arboricultural Impact Assessment (Urban Green)
- Confidential Extended Phase 1 Habitat Survey (Penny Anderson Associates)
- Confidential Badger Survey Report (Penny Anderson Associates)
- Bat Survey Report (Penny Anderson Associates)
- Report to Inform Habitats Regulations Assessment (Penny Anderson Associates)
- Agricultural Land Classification Report (BWB)
- Air Quality Report (BWB)
- Noise Impact Assessment (BWB)
- Heritage Assessment (BWB)
- Flood Consequences Assessment (GeoSmart)
- Sustainable Urban Drainage Scheme (GeoSmart)
- Geoenvironmental Site Investigation Report (GeoCon)

- Geophysical Site Investigation Report (TigerGeo)
- Written Scheme of Investigation (WSI) (Iceni)
- Sustainability Statement (Iceni)
- Pre-Application Consultation (PAC) Report (Iceni)