

Cerys Jones

From: Mared Rees-Jones
Sent: 13 August 2020 12:18
To: David Williams; Cerys Jones
Subject: FW: CONSULTATION RESPONSE - Planning Application P/2020/0363 – Land West of Sesswick Way, Marchwiell, Wrexham.
Attachments: E_14138466.DOC; ALC 013-02 - Bedwell Road, Marchwiell - ALC map.pdf

Dave – FYI

Cerys – Could you please add response to file

From: Arwel.Williams@gov.wales [mailto:Arwel.Williams@gov.wales] **On Behalf Of** LQAS@gov.wales
Sent: 12 August 2020 15:45
To: Mared Rees-Jones; planning_admin; Cerys Jones
Cc: James.Cooke@gov.wales
Subject: CONSULTATION RESPONSE - Planning Application P/2020/0363 – Land West of Sesswick Way, Marchwiell, Wrexham.

Security Notice: The attachments in this email were secured by a Wrexham Council Security Gateway.
The original attachments were not modified.

Dear Mared Rees-Jones,

(James – for information as discussed)

Re: Planning Application P/2020/0363 – Land West of Sesswick Way, Marchwiell, Wrexham.

Thank you for consulting the Department in respect of the above planning application.

Consultation remit

The Department for Environment, Energy and Rural Affairs of Welsh Government has the responsibility to respond to statutory consultations made on the basis of Table to Schedule 4 paragraph (s) of the Town and Country Planning (Development Management Procedure)(Wales) Order 2012 (DMP Order 2012). Technical Advice Note 6; Annex B2 further describes this consultation arrangement.

Policy

The Department has regard to Welsh Government planning policy towards the conservation of best and most versatile (BMV) agricultural land as described at paragraph 3.54 and 3.55 of Planning Policy Wales (PPW).

3.54 *Agricultural land of grades 1, 2 & 3a of the ALC system is the best and most versatile (BMV), and should be conserved as a finite resource for the future.*

3.55 *When considering the search sequence and in development management decisions considerable weight should be given to protecting such land from development because of its special importance. Land in grades 1, 2 or 3a 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. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.*

Agricultural Land Classification (ALC)

A detailed ALC survey was undertaken on the eastern half of the site by the Welsh Government in 2002 (Ref: *Bedwell Road, Marchwiel – 013-02 – map attached*). This survey confirms the presence of approximately 13.50ha of BMV land (Subgrade 3a) on the application area (ALC survey 013-02 covers a total of 19.51ha, including land east of the application area).

The Predictive ALC Map for Wales (2019) notes the remainder of the application site also as ALC Subgrade 3a.

This confirms that the application, if granted, would involve the loss of 44.00ha of BMV agricultural land (ALC Subgrade 3a).

Expression of view

The proposal has failed to apply the sequential test and justify the loss of BMV agricultural land in accordance with the procedure required by PPW 3.54 & 3.55. Consequently, the Department for Environment and Rural Affairs of Welsh Government wishes to express its **OBJECTION** to this planning application. The following agricultural factors should be noted –

1. The loss of 44.00ha of BMV agricultural land is a matter of national significance, with reference to DMP Order 2012, Schedule 4 paragraph (s).
2. It is considered that the submitted proposal has failed to justify the loss (overriding need and application of the sequential test) of a nationally significant area of best and most versatile agricultural land, as is required by Planning Policy Wales paragraph 3.54 & 3.55, before such land is developed for non-agricultural purposes. Such land is described in PPW 3.54 & 3.55 as a finite resource for the future and in development management decision making process, considerable weight should be given to protecting such land from development because of its special importance.
3. Lower grade agricultural land is available and the Planning Statement conflicts with PPW.

Administrative matters

This **OBJECTION** response is made solely on the basis of impact upon the national agricultural interest, and is made independently of other parts of Welsh Government that may wish to exercise a remit to comment upon this planning application.

Any view expressed by the Department for Environment, Energy and Rural Affairs in the exercise of its consultation responsibility under the DMP Order 2012 does not bind the consideration of Welsh Government should the matter come before it in a formal context.

Procedural matters

If your Authority includes this **OBJECTION** in the grounds for refusal of planning permission then this Department is prepared, on request and in accordance with the Town and Country Planning (Referred Applications and Appeals Procedure) Regulations 2017, to be represented on any appeal inquiry which may result. In addition, this Department is prepared to submit to your Authority a statement of evidence to assist in the preparation of the written statement as required under Regulation 22 of the Regulations.

Should your Authority consider that there is a case for granting planning permission despite the **OBJECTION** by the Department for Environment, Energy and Rural Affairs, the Department would **EXPECT** the matter to be brought to its attention before a decision is made, and failing a satisfactory resolution of the issues involved, this Department may ask Welsh Government to consider the case further.

I trust the above expression of view and associated remarks are clear and unambiguous. Please do not hesitate to contact if necessary.

Arwel Williams

Arwel Wyn Williams

Cynghorydd Polisi Pridd a Defnydd Tir Amaethyddol / Agricultural Land Use & Soil Policy Advisor

Is-adran Tir, Natur a Choedwigaeth / Land, Nature and Forestry Division

Llywodraeth Cymru / Welsh Government

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-----Original Message-----

From: Cerys Jones <Cerys.Jones@wrexham.gov.uk>

Sent: 07 August 2020 09:39

To: Williams, Arwel (ESNR - ERA - Land, Nature & Forestry) <Arwel.Williams@gov.wales>

Subject: CONSULTATION - GENERAL LETTER - App ref P/2020/0363

Please find attached document

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Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

Ewch i weld - mi fedrwch chi dalu, rhoi gwybod, gwneud cais, dweud eich dweud, a dod o hyd i wybodaeth ar-lein yn

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Mae'r neges e-bost hon ac unrhyw atodiadau wedi eu bwriadu ar gyfer yr unigolyn neu'r sefydliad y'i cyfeirir atynt yn unig. Am yr amodau llawn yngl?n ? chynnwys a defnyddio'r neges e-bost hon, ac unrhyw atodiadau, cyfeiriwch at

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