

DESIGN AND ACCESS STATEMENT

Proposed Residential Development

at

BOTTOM ROAD
SUMMERHILL
WREXHAM
LL11 4TR
for
Mr. A.O. JONES.



D S Jones & Co.

Architectural & Planning Consultants.

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1.0 INTRODUCTION.

1.1

This Design and Access Statement has been prepared in support of an application for outline planning permission for residential development on land to the east of Bottom Road, Summerhill near Wrexham including means of access in accordance with the submitted illustrative site layout drawing and other information supplied.

1.2

This statement meets the statutory requirements of Article 7 of the Town and Country Planning (Development Management Procedure)(Wales) Order (“the DMPWO”) 2012, as amended by Article 9 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

1.3

This Design and Access Statement provides an analysis of the application site and sets out the principles that have guided and informed the design.

2.0 DESCRIPTION OF THE SITE AND SURROUNDINGS

2.1

The application site comprises a generally rectangular shaped parcel of land located immediately adjacent to the northern edge of the settlement of Summerhill and to the east of Bottom Road and with extensive frontage to this road near to the junction with Summerhill Park immediately to the south, and New Road and Chestnut Avenue further to the south. The site is generally flat but slopes very gently from west to east and comprises agricultural land which is grazed. The site amounts to approximately 1.2 Hectares or 2.9 Acres.

2.2

The application site is located outside but adjacent to and adjoining the settlement of boundary of Summerhill as defined by the Adopted Wrexham

Unitary Development Plan. The site is undesignated and therefore has no statutory protection in planning terms other than being located outside the settlement boundary. The site lies adjacent to the northern extremity of the settlement of Summerhill and to the existing built development in this location. The site is well related to the existing development to the south and comprises a logical extension to the village of Summerhill which would not unduly harm the openness of the open countryside in this location.



Extract from the Adopted UDP – Application site edged red.

2.3

The site is served by a substantial frontage to Bottom Road. Bottom Road is well served by public transport services with bus stops being located a short walk to the south on New Road and Beech Street. The site can therefore clearly be shown to occupy a most sustainable location.

2.4

The site comprises improved grassland with the eastern and western boundaries being defined by established hedgerows. The southern boundary is defined by a stock-proof fence adjacent to the public footpath GWE/9 and by screen fences and walls to separate the adjoining property, Greenacres. The northern boundary of the application site is as yet undefined and has been selected to effectively bridge the gap between hedgerows running in an

east to west direction and which define the northern boundaries of the adjacent agricultural field parcels. Post development, this boundary will be defined by a newly planted hedgerow which will successfully assimilate the site in to the surroundings. The proposals seek to retain all hedgerows save for the short length which will require to be removed to create the access to the site and to create a green corridors along the line of the northern and western boundaries in order that habitat potential is maximized following the development of the site.

2.5

The existing Public Footpath GWE/9 runs adjacent to the southernmost boundary of the application site and links the site with public footpath GWE/14 providing pedestrian access to Bryn Alyn School, Gwersyllt and Bro Alun School in Bradley thereby providing a safe walking route to school for future residents. Pedestrian access for residents is also available via this footpath to the Gwyn Evans Leisure Complex. Both Alyn Waters Country Park and the Moss Valley are within walking distance.

3.0 THE PROPOSAL.

3.1

The proposal is to develop the site by means of the erection of a significant number of residential dwellings as an extension to the village of Summerhill whilst retaining the existing natural features of importance such as the mature hedgerows which define the eastern and western boundaries.

3.2

Illustrative layout details are included with the application which indicate the proposed suggested siting of the new dwellings with a reverse frontage on to Bottom Road in order to protect and enhance the habitat potential of the existing, established hedgerow. Access will be gained by means of a new access road located to the south western corner of the site which is to be

constructed to County Council Adoptable Standards. The proposed estate road will also be taken to the eastern and northern boundaries of the application site in order to facilitate potential development of the land to the east and north in the future subject to further applications for planning permission. The principles referred to above are set out in the drawings included with the application.

4.0 PLANNING POLICY CONTEXT.

4.1

The site is located outside the recognised settlement of Summerhill as defined by the Adopted UDP. Accordingly development of the site would be contrary to adopted local Planning Policy. However Local Planning Authorities are only required to determine applications in accordance with adopted Local Planning Policy Guidance **unless material considerations indicate otherwise.**

4.2

Indeed the LPA considered a proposal for residential development on a similar site (ie outside settlement but not designated as green barrier) at Packsaddle Bank, Pentrebychan in July of 2015. In his report to Planning Committee the Planning Officer wrote *“Ordinarily I would recommend that a planning application be refused for proposals that represent such a clear and (given the number of dwellings proposed) significant departure from UDP policies. However the Council is only required to determine planning applications in accordance with an adopted development plan **unless material considerations indicate otherwise.** Applications should be considered in relation to up to date policies.”* The Officer’s report went on to say *“For sites to contribute towards the 5 year housing land supply, sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development in order to make a meaningful contribution. I am aware that this site falls under one ownership, and that there are no immediate ground condition constraints that are likely to result in*

a scheme that is economically unviable. I therefore have no reason to believe that the development of the site would be unviable. It would constitute a sustainable development in accordance with more up to date national planning policy aims.” As is the case with the application site, the land is within one ownership and there are no infrastructure constraints which would delay the commencement of development.

4.3

Accordingly the report to Members of the planning committee in this particular case concluded that *“The Council is required to determine this proposal in accordance with the adopted Unitary Development Plan unless there are material considerations that indicate otherwise. I am satisfied that the proposal represents a suitably sustainable development, without having an adverse impact upon the character of the wider landscape. It would also make a positive contribution to the Council’s shortfall in housing supply. I therefore recommend accordingly.”* The same set of circumstances apply to the application site and this is therefore the fundamental starting point for determination of this application for planning permission.

4.4

The site previously formed part of a larger site which was promoted as a Candidate Site in the Local Development Plan Review, site reference GWE03CS. This site promoted as GWE03CS was much larger than the current application site and amounted to 20.7 hectares. As part of the review, the LPA determined that the site *“Fails stage 1 of the Candidate Site Assessment process (highways) and is not therefore proposed to be allocated in the LDP.”* The extent of this larger development site is indicated at Appendix A. However and as indicated later at, the Inspector who determined the planning appeal referred to concluded that :-

“23. The proposed access is shown to provide adequate visibility splays along Bottom Lane, which is indicated to be widened and modified to provide priority to southbound vehicles. Given the nature of the highway and its traffic, the

proposed access would provide a safe and suitable access to the development.

24. For these reasons, the appeal scheme would have an acceptable effect on highway safety, and complies with the relevant parts of UDP Policy GDP1 'General Development Principles'." This conclusion therefore places in doubt the validity of the Council's determination that allocation of the larger site for residential development in the LDP *"fails stage 1 of the Candidate Site Assessment process (Highways)."* This is a material consideration which carries significant weight in the determination of the current proposals.

4.5

Subsequent to the promotion of the larger area of land through the LDP Review, an application for outline planning permission was submitted to the LPA in 2016. The area of land included in the previous planning application comprised the applicant's entire land holding in this location and therefore constituted a significant intrusion in to open countryside. The previous application for planning permission was subsequently refused and then subsequently dismissed on appeal. The previous application site was for a much larger area of land which is shown by means of the location plan provided at Appendix B, this current application relates to around a third of the previous application site.

4.6

The reasons for refusal of the previous application, reference No. P/2016/0738 were as follows, and I summarise :-

1. The development would have a detrimental impact upon the safety of motorists, cyclists and pedestrians contrary to policy GDP1.
2. The proposal was considered to represent a poor standard of design in terms of the indicative layout and density and was an illogical extension to the existing settlement pattern contrary to policies PS2, GDP1 and EC5.

3. The proposals failed to show whether the site could satisfactorily attenuate excess surface water and the applicant did not show that a sustainable surface water drainage system could be used in order to show compliance with policy EC13.
4. The submitted ecological report was not to a satisfactory standard and therefore insufficient to assess the impact upon protected species contrary to policy EC6.

4.7

All of the above points were assessed by the Inspector as part of the consideration of the appeal and positive conclusions were reached on three of the issues above. To quote the Inspector on the matter of access and highway safety :-

“23. The proposed access is shown to provide adequate visibility splays along Bottom Lane, which is indicated to be widened and modified to provide priority to southbound vehicles. Given the nature of the highway and its traffic, the proposed access would provide a safe and suitable access to the development.

24. For these reasons, the appeal scheme would have an acceptable effect on highway safety, and complies with the relevant parts of UDP Policy GDP1 ‘General Development Principles’.”

Accordingly it can be shown that there are no highway grounds upon which to object to the current proposals going forward.

4.8

On the matter of surface water drainage, the Inspector concluded that :-

“27. At the appeal stage, the appellant provided a Flood Consequences Assessment (FCA) and outlined drainage proposals for the appeal proposal. These have confirmed how sustainable drainage principles would be applied, the limitations for surface water drainage on the appeal site and, the discharge solution agreed with Welsh Water. If this appeal were to be allowed, the Council has indicated that it would accept a planning condition to deal with

this matter. Information provided confirms that given the scale of the appeal site, its circumstances and the nature of the development proposed, it should be possible to deliver a drainage scheme of a suitable design and performance through a planning condition.

28. Accordingly, it is evident that the appeal scheme would have an acceptable impact on the water environment to comply with UDP Policy EC13 and accords with the advice in TAN 15.”

In accordance with the above summation, the LPA can have no objection to the proposed development of the site in terms of sustainable drainage matters.

4.9

In terms of ecological matters, the Inspector concluded that :-

“32. Information submitted with the Grounds of Appeal have caused the Council to conclude that the proposed ecological mitigation is “...likely to result in a high standard of remediation of the site to cater for the development and absorb the impact of the built development...”. The Council does not identify harm to protected species, and the evidence in this case confirms that none would occur and any impacts would be adequately mitigated. The Council has suggested a condition that would address this. For these reasons, no conflict with UDP Policy EC6 has been demonstrated.”

It was therefore agreed between the parties that ecological impacts can be satisfactorily mitigated against.

4.10

This leaves only one matter or reason for refusal of the previous application for planning permission that was not satisfactorily dealt with through the appeal process, the matter of the impact that the development would have upon the wider environmental character of the locality by virtue of the extent of the protrusion in to open countryside. In contrast to the size of the developable land promoted as part of the LDP Candidate Site Assessment which amounted 20.7 hectares and the size of the application site considered

under LPA reference P/2016/0738 which comprised 2.94 hectares, the current application site amounts to 1.2 hectares or around 40%. Additionally, the application site extends north only as far as the hedgerow field boundaries of the field parcels to the east and the west. It can therefore be shown that the proposals are much more modest in terms of scale and impact and indeed, if proposals were to come forward for the immediate parcels located east and west of the application site, then this would constitute perfect “rounding off” of the existing settlement.

4.11

Accordingly and in addition to the above, the following Policies contained in the Adopted Unitary Development Plan are relevant considerations in this matter :-

Policies PS1, PS2 and PS3 – Broad Location of New Development.

Policy GDP1 – General Development Principles.

In addition to the above and of overriding interest, Chapter 9 of Planning Policy Wales, Development Plans and New Housing Provision.

4.12

It is the applicant's position and contention that PPW Chapter 9 outweighs adopted local plan policy objections to the provision of residential development on the subject site in terms of the overall principle of development. The lack of 5 year housing land supply in the County Borough of Wrexham is a material consideration in the determination of planning applications. The actual housing land supply in Wrexham in 2016 amounted to 1.41 years but this is now effectively Zero because of the expired nature of the UDP, this falls significantly short of the requirement and is therefore in contravention of this National Planning Policy which is set out below :-

“9.2.3 Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support

sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study¹¹. The Welsh Government will monitor development plans and their implementation to ensure that sufficient housing land is brought forward for development in each local planning authority and that economic development and related job opportunities are not unreasonably constrained.”

4.13

It is interesting to note that the Policy is not written to require that Local Planning Authorities “**should**” ensure that a 5 year supply of housing land is available but rather this requirement is absolute and LPA’s “**must**” ensure that this is the case. Ordinarily planning permission would not be granted for proposals that represent a departure from adopted UDP policies. However, Local Planning Authorities are only required to determine planning applications in accordance with the adopted development plan unless material considerations indicate otherwise. On this basis, National Planning Policy carries significantly more weight than the locally adopted planning policies which limit development outside settlement boundaries when considering the acceptability of the overall principle of development on the application site. Accordingly the principle of development on the application site is supported by National Planning Policy Guidance having regard to the current lack of a 5 year housing land supply and the pressing need to increase the supply of housing land in the County Borough. Beyond this, as the Local Authority do not have an adopted Local Development Plan, it is the case that in accordance with latest guidance from Welsh Government, for the purposes of determining applications for planning permission such as this, the current housing land

supply figures should be deemed to be NIL. It is also key to note that the application site is free any constraints which would delay the commencement of development in the short term, making the contribution to housing land supply available in the short term.

4.14

In terms of adopted local planning policy, Strategic Policies PS1, PS2 and PS3 set out requirements for the location of new development in broad terms.

Policy PS1 states that :-

“New development for housing, employment and community services will be directed to within defined settlement limits / employment areas.”

Policy PS2 requires that :-

“Development must not materially detrimentally affect countryside, landscape / townscape character, open space or the quality of the natural environment.”

Policy PS3 states that :-

“Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of Greenfield land, whenever possible, particularly so where Greenfield land is of ecological, landscape or amenity value or comprises agricultural land of grades 1, 2 or 3a quality.”

4.15

Taking all three of these strategic local planning policies together, whilst the site is not contained within a defined settlement limit, the development of the site as proposed will not harm the openness of the countryside or landscape character in this location. This is because the site is well related to the existing built environment to the east and south and can be shown to form a logical, well related extension to the existing settlement, in essence a “rounding off” of the northern part of the settlement. The site does not represent the highest quality agricultural land and whilst greenfield in appearance, is not particularly

ecologically sensitive as evidenced by the ecological assessment which accompanies this application for planning permission. The development of the site as proposed can be shown to be in compliance with Policies PS2 and PS3 and the lack of a 5 year housing land supply as required by PPW Chapter 9 outweighs the requirement of Policy PS1 to direct new development to within defined settlement limits.

4.16

Policy GDP1 in the Adopted UDP sets out a prescriptive list of development principles which are to be considered in the design of all developments where the principle of development is acceptable to the LPA. The sections relevant to the application include the following :-

- a) 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.*
- b) Take account of personal and community safety and security in the design and layout of development and public / private spaces.*
- d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and the nearby locality.*
- e) Ensure that built development is located where it has convenient access to public transport facilities and is well related to pedestrian and cycle routes wherever possible.*
- g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.*

4.17

In accordance with this particular policy, the proposed development will be designed to respect the sensitive nature of the hedgerow adjacent to Bottom Road. A range of detached and semi-detached family homes will respond to the character of the setting and will constitute a range of housing types which respond to the needs of the market in this area together with the full complement of Affordable Housing as required by adopted Planning Policy. Consequently, it is envisaged that the dwellings will be readily saleable and

will contribute significantly to the shortage of new housing within the short term.

4.18

The site is located in a sustainable location on a public transport route and in close proximity to existing amenities as well as being a short distance from the Town of Wrexham and the extensive employment opportunities provided there.

4.19

Mains gas, water and electricity are all available close to the site within Bottom Road and these services can be supplied to serve the new development without public cost. Foul water discharges will be discharged to the public sewer located at the site frontage in Bottom Road. Surface water collected from hard surfaced areas such as roofs, paths and driveways will be discharged to ground by means of infiltration on site in accordance with SUDs principles.

5.0 DESIGN

5.1

Good design is an all embracing concept. This statement considers the essence of good design in response to the following factors :-

- Use
- Amount
- Layout
- Scale
- Landscaping

- Character / Appearance

The above objectives are key to good design, to the understanding of and response to context and should form the basis of any scheme and design statement.

5.2 Use and Amount.

The application is in outline only and seeks primarily to establish the principle of residential development subject to reserved matters which will include siting, design, external appearance and landscaping. However notwithstanding this, information is contained with the application which indicates that a conventional form of development is suggested / proposed which takes account of the relationship between the site and Bottom Road to the west at which point both vehicular and pedestrian access to the site is gained and also the existing built form of development to the south. The optimum amount and type of development in this location is therefore assessed to comprise mix of up to say 31No. detached and semi-detached 2, 3 and 4 bedroomed family homes, designed in a simple yet traditional form.

5.3 Layout.

The layout of the development is dictated by the proportions and topography of the application site together with the proposal to create north / south and east / west habitat corridors and the desire to provide an area of Public Open Space in a position where development would otherwise impact upon the amenity of the existing dwelling, Greenacres. Vehicular and pedestrian access will be provided directly from Bottom Road by means of an adoptable roadway which will pierce the proposed frontage in the south west corner of the application adjacent to existing built development in order to minimize the impact upon and disturbance of the existing established hedgerow. The estate road will be extended to the eastern and northern boundaries of the site in order to facilitate potential future development of land to the west subject to a further applications for planning permission or consideration by means of the Local Development Plan review process.

5.4 Scale.

The scale of the development is to comprise two storey, conventional dwellings in keeping with the existing dwellings located to the south of the site. The form and massing thereafter responds to the spaces available within the site boundaries having regard to the topography of the site and market research which indicates a need for two-storey, two, three and four bedroomed homes in this location.

5.5 Landscaping.

The landscaping of the site will predominantly involve the retention of existing, mature hedgerows to the eastern and western boundaries of the site which will be supplemented by the planting of new boundary hedgerows to define the northern boundary of the application site and also to form an enclosure to the proposed area of Public Open Space to the southern portion of the site. New tree and shrub planting will be extensive and will comprise indigenous species in addition to grassed lawns to private garden areas.

5.6 Character / Appearance.

The appearance of the proposed dwellings is to be subject to later design and a further application for approval of reserved matters in the event that the current application for planning permission is successful. Notwithstanding this, the proposed dwellings will take a simple traditional form using design references and a palette of external materials taken from the existing buildings located to the south of the application site and other more traditional buildings within the village of Summerhill.

6.0 ACCESSIBILITY AND MOVEMENT.

6.1

Local planning policy GDP1, subsection e) requires that development sites are located in an area with good public transport provision. The site is located adjacent to the northern edge of the settlement of Summerhill which provides easy access to the nearby town of Wrexham. The A541 Mold Road links to

the dual carriageway and motorway network via the A483 Wrexham By-pass which is located around a mile distant from the application site. The site is therefore in an accessible location with good access to public transport facilities. This constitutes a sustainable location for development with good public transport links to the centres of Wrexham and Chester and beyond.

6.2

Access to the proposed dwellings is available via an adoptable estate road from which vehicular and pedestrian access is gained to the individual plots. Pedestrian access to the principal entrances of the proposed dwellings will be provided in accordance with Building Regulations Approved Document M.

7.0 COMMUNITY SAFETY.

7.1

The design objectives as far as promoting community safety are to ensure attractive linkages with public spaces which benefit from natural surveillance. The primary reason for this requirement is “To ensure that adequate visibility is maintained at the proposed point of access”. However, the dual role that this requirement performs is that the front external spaces of the development are open to public view thereby providing natural surveillance during daylight hours. It is during the hours of darkness when problems may occur either to the front external spaces or the more secluded private garden areas to the rear, which could result in anti-social behaviour. It is therefore important in this situation, that effective artificial lighting of the front and rear of the plots is included in order to deter anti-social behaviour and to provide potential for natural surveillance by residents who overlook the site or who may pass on foot or in vehicles. However, any artificial lighting which is provided must respect the amenity of adjoining local residents and therefore must be carefully designed in order to respect the position of the site and relationship between the application site and adjoining residents.

8.0 SUMMARY AND CONCLUSION.

In summary, the proposed development identified as part of this application for planning permission can be undertaken in accordance with National Planning Policy Guidance, specifically PPW Chapter 9 where the lack of a 5 year housing land supply is an overriding consideration in this matter which outweighs locally adopted planning policies which would otherwise resist such a development.

In establishing the principle that new residential development is acceptable having regard to PPW Chapter 9, the form of development proposed can then be assessed in accordance with other relevant planning policies and undertaken in such a way that is acceptable at a local level.

In conclusion, this Design and Access Statement has demonstrated that the development of the application site generally in the manner proposed is possible in accordance with adopted planning policy and the principles of good design, specifically as follows :-

1. The development would represent a logical and appropriate extension to the pattern of development of the settlement, to a point where existing hedgerows abut the eastern and western boundaries, a natural extent at which to stop development.
2. Development to this extent and in the general manner proposed on the attached layout proposals would preserve and enhance the character and appearance of the locality.
3. There would be social benefit from the scheme through the provision of new market and affordable homes, the support that occupiers of the dwellings would provide for local services, proposed improvements to the local highway/public rights of way network and, proposed on-site recreation facilities.
4. There would be economic benefit from the construction and occupation of the dwellings.
5. This opportunity to link the public footpath No. GWE/9 to bridleway No. GWE/46 in order to significantly extend the safe pedestrian route to Ysgol Bryn Alyn.

6. Provision of much needed market and affordable dwellings.

In consideration of the above and the drawings and other information provided as part of the application, officers are respectfully requested to view these proposals favorably and subsequently resolve to grant planning permission.

D.S. Jones & Co. January 2020.

For and on behalf of Mr A.O. Jones.

Appendix A.

Wrexham LDP 2013-2028 – Candidate Site Register.

WREXHAM LOCAL DEVELOPMENT PLAN 2013 – 2028 SITE REGISTER

Site Ref: GWE03CS

Site Address: Land Adjoining Old Hall Farm,
Summerhill

Settlement: Gwersyllt

Community: Gwersyllt

Ward: Gwersyllt North

Size ha: 20.7

Greenfield: Yes

Brownfield: No

Settlement Hierarchy Tier: 2

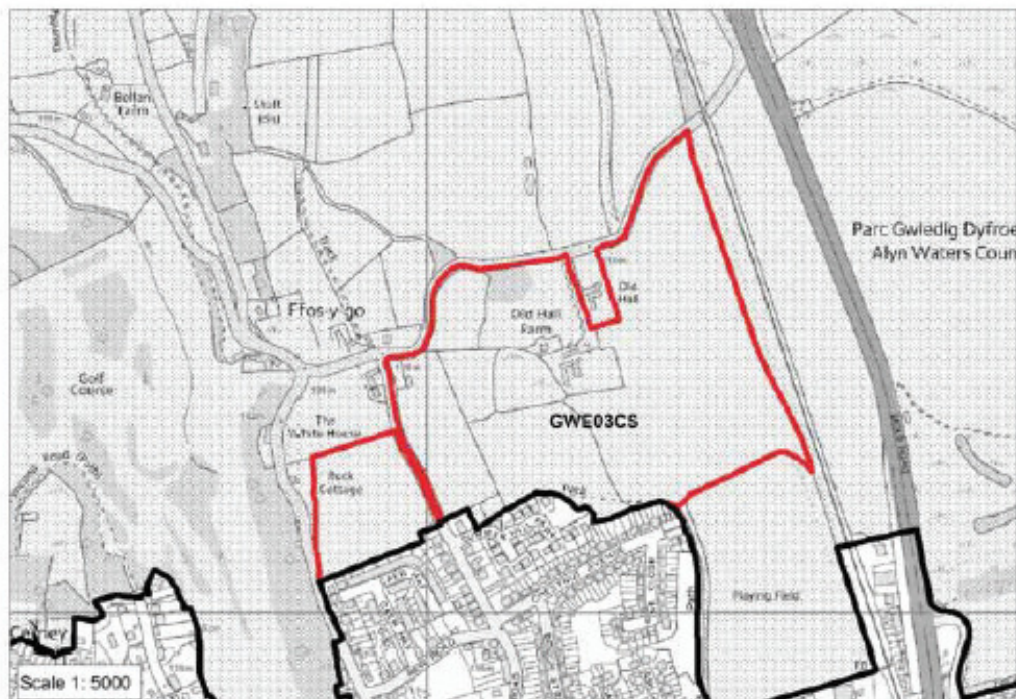
Current Use: Agriculture

Proposed Use: Residential

Small Sites: No

Large Sites: Yes

Comment: Fails stage 1 of the Candidate Site Assessment
process (Highways) and is not therefore proposed to be
allocated in the LDP.



Appendix B.

Location Plan which formed

Part of Application No. P/2016/0738.

