

Planning Appeal

Proposal: Outline Planning Application for Proposed Residential Development to form 8 No Mews Style Properties in Two Blocks of 4 No Units with central access point and associated parking to the rear.

At

Land south of The Paddock, Old Wrexham Road, Gresford, Wrexham LL12 8UA

Introduction

Following several discussions and the preapplication process, this application was the third attempt to obtain a permission on this parcel of land.

It was deemed that the best use of this land was for smaller units, with an element of affordable units within the scheme.

With the expired local plan together with a continual shortfall for housing we believe this site to offer a superb, sustainable location together with minimal visual impact.

While moving from the settlement area this development, while not infill, provides a logical development form with its surroundings and previously approved sites in the immediate vicinity.

Approval of this site will relieve pressure from developing more contentious and harmful sites outside of the settlement.

Planning Application P/2018/0603

The first application was submitted for 8 units. The design to reflect the mews properties opposite the site.

This was not what we had initially received pre-application advice for. Original proposals were for 2 large dwellings.

With feedback from research completed by our client, within the community. It became clear that smaller units were in demand. Further discussion with the planning officer was received positively.

If development were to be encouraged outside of the settlement area then the increase in numbers and benefit to the community would enable further support.

Support for this application became reduced and the application was eventually withdrawn.

Planning Application P/2018/1039

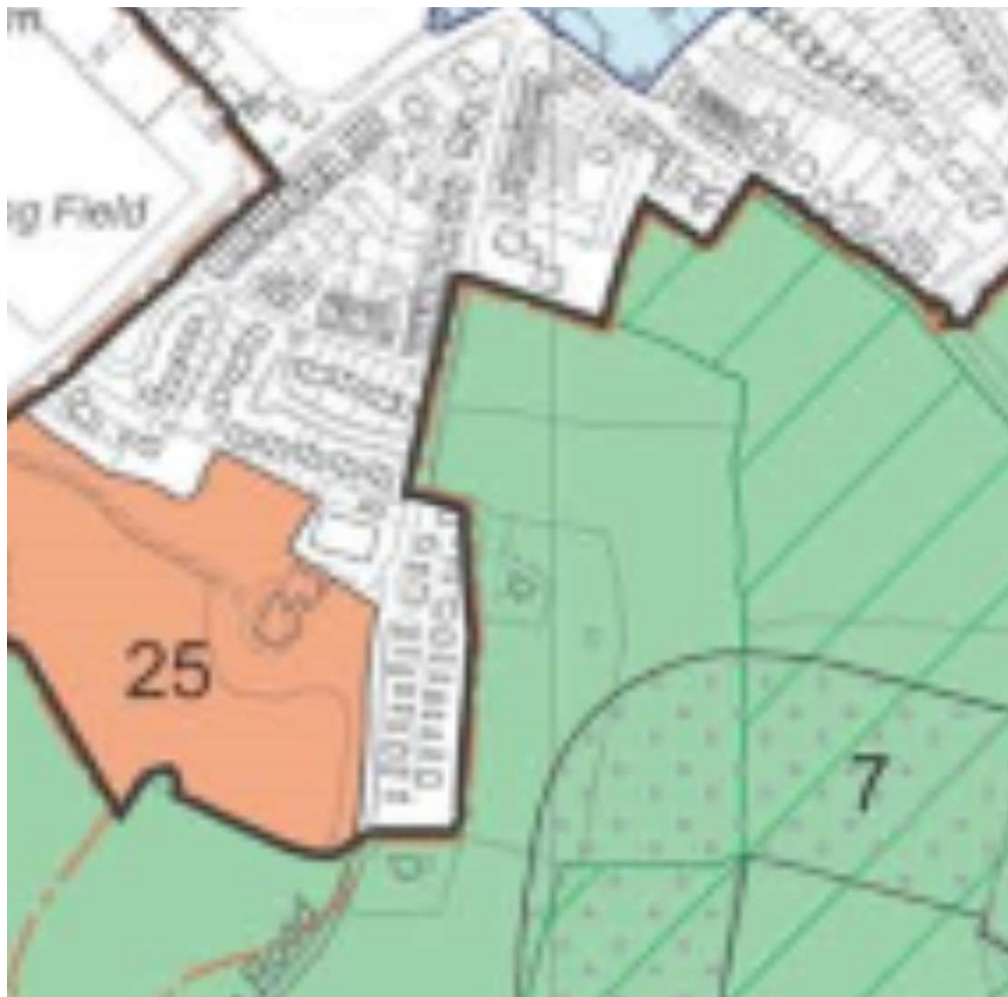
The proposal was reviewed and amended to reflect the original discussions with the council. The application being to obtain planning permission for 2 No larger units.

Again the application was supported with an approval seeming imminent. Only to be refused at the final stages with a sudden change of stance by the local authority.

Planning Application P/2019/0336

Additional discussions were held with the planning department. The original proposal for the 8 units was the superior scheme from a community, land use and planning perspective.

While building outside of the settlement area is much more sensitive this parcel of land is well suited for support.



The Southern Eastern edge of the settlement limit for Gresford is shown above. The site was subject to a planning approval for 12 new dwellings, P/2018/0166.

North of this site, the settlement limit steps back to the highway. Development within the recessed area, would provide a logical extension to the build form and settlement line. To include the whole parcel of land would be inappropriate.

To provide development along the highway, with a similar form to that of the approval mentioned above would not harm the green barrier. Nor would be urban sprawl within this area. The area is neatly defined with the residential land to the perimeter.

While only the northern most parcel of land falls with the scope of this application, the opportunity for the southern parcel of land we believe will follow.

This will allow all 3 of these potential sites to be linked with pedestrian footways. Allowing safe walkways and increasing the sustainability of not just the site this appeal is based on, but the improvement and highway safety of the previously approved P/2018/0166.

Other application sites within the area have raised comments from the local community council of the need for affordable units within Gresford. While the development falls short of the numbers where affordable units are required, our client followed advice by the planning officer to include 2 additional affordable units to ensure that the community really benefitted from the proposal.

Unfortunately the council were unable to support the application. Their opinion of the footway links were of limited benefit without the parcel of land outside of our control. The benefits of the safer walkways adding reduced weighting without a continual walkway from the P/2018/0166 site at the low South edge.

Reason for Refusal

1.

By Virtue of its unsustainable location outside of any settlement limit and within designated green barrier as defined in the Wrexham Unitary Development Plan (UDP), the proposal for the residential development of this Greenfield site would result in an undesirable visual intrusion into the rural landscape and represent inappropriate development contrary to Policies PS1, PS2, PS3, PS4, GDP1, EC1 and H5 of the UDP. The proposal is not considered to accord with the advice contained within Planning Policy Wales and there are no material considerations associated with the scheme to justify departing from the UDP Policies in this instance.

The UDP referenced is dated 1996 – 2011. This and the draft of the replacement UDP do not provide enough housing supply land for the new plan period. There the authority need to look outside of these out of date settlement boundaries.

While the site does include Green Barrier land, a balanced approach needs to be taken on whether development of this land can be deemed as harmful to the area. Care must be exercised in the application being refused just because the land is labelled.

With the approval of development to the South, this will lead to built form in the area, this new proposal will not result in visual intrusion rather than linking this previously approved development, back to the village of Gresford.

The Broad Location of Development is covered with Policies PS1 to PS4. As mentioned with the UDP being so far out of date, Policy PS4 should be weighted to allow for developments to progress and housing to be supplied. Settlement pattern and character and integrating with the existing transport network area important planning aspects regardless of where the settlement boundaries are positioned. These elements of harmonizing development are consistent throughout changing UDP's

Settlement boundaries are the elements which change so references to settlement limits and directing to development to these areas are the aspect which need to carry less weighting.

With the development being amongst other residential areas, residential land in close proximity on all 3 sides, the development is well located in context of the Gresford Village.

Whilst the application is for outline only and all matters reserved scale and design are not considered at this stage.

Other aspects of this application, layout, orientation of units have been indicated on the submitted site plan demonstrating that they accord with the character of the area. This layout has been heavily influenced with P/2018/0166.

As the highway network, and public amenity are similar for both sites. Together with other elements of GDP1 it remains difficult to ascertain where this development fails on GDP1 when compared to P/2018/0166.

While each site must be judged on its own merits, with sites of such close proximity and other that the brownfield/Greenfield status of each, the relationship to the village remains constant.

It is clear that the development is within Green Barrier land, I do not believe that the use of the land as residential conflicts with the reason this land was allocated its protected status. Green barrier being important to prevent urban sprawl and building within the country side.

Closing the gap, between the lower southern development and the village is an opportunity to look outside the old settlement limit without harming the landscape/townscape.

The residential dwellings, approved to the south, are all 2 storey units. This will relate better to the area with a visual connection, of similar height structures.

Both EC1 and H5 need to be carefully assessed, they are important aspects of planning control, however, as detailed above, does this section of land benefit the community and countryside. Will the loss, with the residential form on all three sides be harmful.

If not then these policies could be relaxed in this instance.

2.

Insufficient information has been submitted in support of the application to demonstrate that any resultant surface water generated by the development would be disposed of appropriately. It has not been demonstrated that flood risk can be acceptably managed post development and proposal would be contrary to Wrexham Unitary Development Plan Policies GDP1(i) and EC13.

With the differing views received from the council and support being changed on the previous applications, our client has been careful to limit expense on the application.

A basic ground investigation and percolation tests have been carried out, detailed and information supplied.

Over differing applications, we have been informed that this information is required, on others that this can be conditionally approved. With the other councils approving application without this information and again supplying conditional approvals, I do not believe that this information is essential at this stage.

With the basis that this is outline only and that final designs of soft landscaping and hard landscaping are not yet known a full design is not yet possible. The fact that soakaways work should be adequate at this stage to allow the council to determine that the site can be sustainably drained, and provide no additional load to the existing foul drainage network.

The site is not within a flood risk area and the response back from Welsh Water details the need for approval of Sustainable Drainage Systems but does not raise an objection against the information provided at this stage.

3.

Safe and satisfactory vehicular and pedestrian access has not been demonstrated and the increase in vehicular and pedestrian movement which would be generated by the residential development of this unsustainably located site would have a detrimental impact upon highway safety. The locality does not benefit from safe routes for residents to walk to local facilities and public transport stops etc. And the site is not integrated with the transport network to help reduce the need to travel or encourage the use of alternatives to car. To allow the development would be

contrary to Wrexham Unitary Development Plan Policies PS4, GDP1(d) and (e), T8 and T9.

While indicative the site plan, used as the basis for the application demonstrates that the access to the South can easily be achieved and to the North, falls short of the 40m SSD dimension by a mere 0.5m. With the low volume of traffic which uses this highway this is not a significant or dangerous reduction in the standards.

Parking for 2 vehicles for each of the properties has been indicated with meetings with the councils parking standards.

All parking allows for turning and this will ensure that vehicles will enter and exit to the site in a forward gear. Ensuring safety for all other road users in the area.

A foot way is located within the site running its entire length to provide some length of walkway from the highway both this site and the previous mentioned site to the south.

Policy T9 requests pathways and cycle ways where feasible and appropriate. North of the site there are no existing pathways to connect to. All existing occupants walk along the edge of the highway. As traffic is limited, traffic speed is low and no pedestrian accidents have been recorded in this area I do not believe this is detrimental to the scheme.

It is neither feasible or appropriate.

4.

The scheme fails to protect the existing locally valuable hedgerow or afford suitable space for the successful establishment of mitigation measures and the long term retention of boundary features worthy of retention. To allow the development would conflict with Policies PS2, PS4, EC4 and EC6 of the Wrexham Unitary Development Plan.

While the hedgerow has grown since the original application, the plan is to maintain, as detailed on the site plan at a height of 1m.

With the hedgerow in place and a 1m height, vehicles leaving the site will have adequate visibility. The footpath has been intentionally positioned behind the hedgerow, for the retention of the feature.

The hedge row will be retained with the exception of the access point which will be a minimal alteration to the boundary treatment and not affect the greenery of the area viewed when travelling along this highway.

Immediately following the refusal for this application a proposal for 44 houses, from the adjacent street, Vicarage Lane, was presented to Wrexham Planning Committee – P2018/1063.

While served from differing streets, the similarities in these cases cannot be ignored. The sites virtually touch at the rear edge.

Within the committee report, the council themselves state that there is evidence of a persistent and considerable undersupply of housing which they consider as very exceptional circumstances to build within the Green Barrier/Green Wedge.

The planning officer refers to previous appeals where the inspector stated that sites need to be brought forward prior to the adoption of the LDP. There is no evidence from the Local Authority or reason that the site served from Vicarage Lane, can be classed as very exceptional circumstances and the Old Wrexham Road cannot. This is a clearly an inconsistent approach.

The impact on landscape is dismissed on the larger site as the retention of the hedgerow will ensure that the proposal integrates with the landscape. This is at odds with comments from Ecology which raise issue with the amount of hedgerow that will be removed.

Again, compared to the Old Wrexham Road Site, pathways have been located behind the existing hedgerow, which other than the small access, will be retained.

Finally the footpath and highway safety issue which was the basis of reason 3 have been detailed within the report of P/2018/1063 conclude that the lack of a continuous pedestrian footway are not grounds for refusal.

A consistent approach to the councils own policies is essential, and I believe that the planning report put forward for the Vicarage Lane site is a more accurate reflection to the Wrexham Road site.

Conclusion

This site has been carefully considered by the local authority on each application. The fact that the site has been received positively and gained support to be lost in the final stages is due to the fact that it is an excellent proposal and compliments the area.

The weighting of some of the less important factors together with an incorrect assessment of the highway policies and hedgerow retention have been the tipping point of the turn around and resultant refusal.

With its sustainable location, excellent relationship with its immediate surroundings and relationship to the centre of the village of Gresford, this provides an ideal opportunity to step outside of old out of dated settlement plans, and develop within a logical pattern, complimenting the street scene.

With no objections and affordable units over and above the minimum which legislation requires, are evidence of how well it has been received by the community. This together with the required school contributions are an excellent use of the resource of this parcel of land, benefitting the residents of Gresford.

By creating additional smaller dwellings, which the village needs, filling in the gap created with the built form on both sides will, not harm the countryside. The allocation of the land being green barrier, or green wedge is not required in this location.

I therefore respectfully request the Planning Inspectorate to consider the points raised in this appeal and grant planning permission for this worthy proposal.

Stuart Hatherall

for Blueprint Architectural Services