

APPEAL STATEMENT

Outline Application to Erect Single Dwelling

Land Adj to Hill View, Chapel Lane, Bronington, SY13 3HP

Prepared for Mr & Mrs McGrath by
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1. Introduction

This report considers the planning issues associated with the appeal on Land Adj to Hill View, Chapel Lane, Bronington, SY13 3HP.

The application Ref: P/2017/0800 proposed:

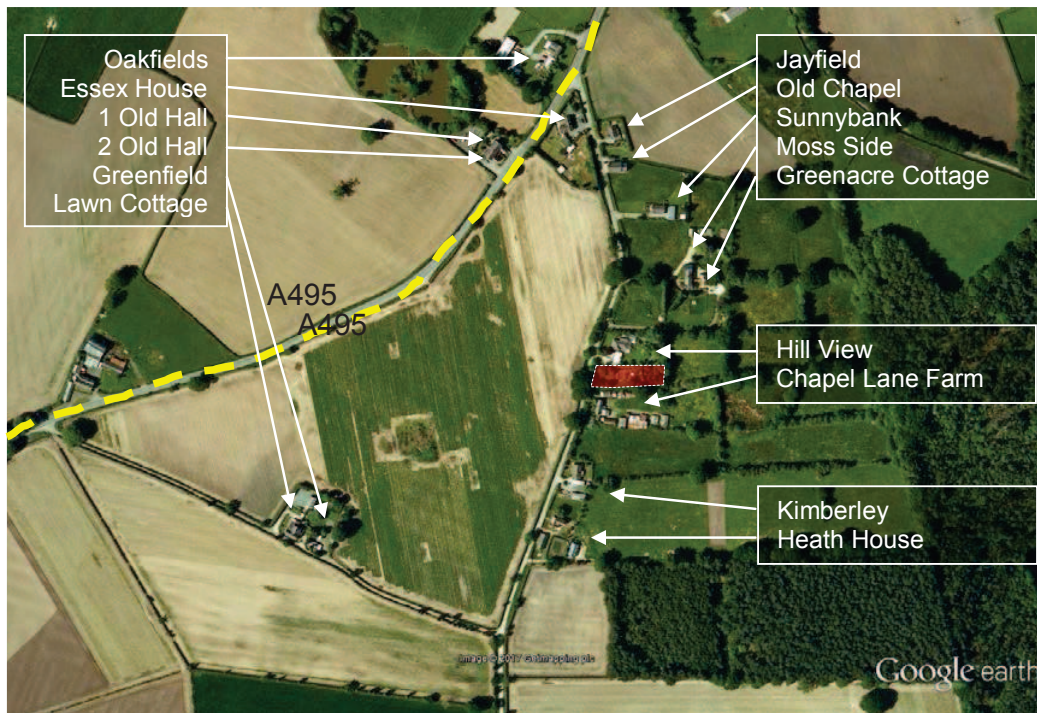
‘Outline Application to Erect Single Dwelling’

The application is submitted on behalf of the land owners Mr & Mrs McGrath.

2. The Site and Background

The site lies on the fringe of the settlement of Bronington which lies around 10 miles to the south east of Wrexham on the A495 between Ellesmere to the west and Whitchurch to the east.

The land is shown below in the context of the A495 and the surrounding buildings along Chapel Lane.



The site is currently used as part of the garden of Hill View.

To the north is the applicants own property Hill View, along with Greenacre Cottage, Moss Side and Sunnybank.

To the east is a patchwork of small paddocks and fields.

To the south is Chapel Lane Farm, with its associated agricultural buildings and sheds along with Kimberley and Heath House.

To the west is Chapel Lane and beyond this is an agricultural field.

Photographs are attached as Document 1.

3. Reason for Refusal

The planning application the subject of the appeal was refused for a single reason below:

The site lies outside a recognised settlement boundary as defined in the Wrexham Unitary Development Plan (UDP) and I do not consider the proposal constitutes development in the countryside which could be justified by current National or Local Planning Policies. Outside of settlements new dwellings will only be permitted in accordance with the stipulations within H5 – Change of use of an existing building, sub division of an existing building, an essential need to house a full time agricultural worker or the plot constitutes an infill plot. As such the proposal is contrary to UDP Policy H5 and Planning Policy Wales – Housing in the Open Countryside.

4. Planning Policy

4.1 Unitary Development Plan 1996 to 2011

The UDP is now time expired, but certain policies remain saved for the purposes of planning application determination.

The relevant policies of the Unitary Development Plan which are referred to within the reason for refusal at section 3 above.

Policy H5 reads:

Housing in the Countryside

Policy H5 Outside defined settlement limits new dwellings will only be permitted where:-

- a) proposals accord with Policies H3, H4, and H8; or
- b) proposals comprise infilling subject to Policy GDP1; or
- c) an essential need to house a full time agricultural or forestry key worker can be established and
 - i) the long term financial viability and functional management of the enterprise is proven; and
 - ii) the person, due to the nature of the work, has to live on the site rather than in a nearby settlement; and
 - iii) there are no suitable buildings nearby which could be converted into a dwelling; and
 - iv) the new dwelling is sited adjacent to an existing building, can be landscaped, and is of a form, bulk, design and materials which reflect the locality's rural character.

Any permission will be conditioned to limit residential occupancy to essential workers.

4.2 Local Planning Guidance No13 – Housing in the Countryside

We believe that the site forms a natural infill plot in line with the detailed guidance within Local Planning Guidance No13 – Housing in the Countryside (LPGN13).

This guidance note explains the approach which the Council takes towards dealing with proposals for housing development in the countryside. It amplifies Unitary Development Plan (UDP) policies detailed below and will be a material consideration in the determination of planning applications.

This guidance note was revised by the Council in July 2011, subject to external consultation in August 2011 and was formally adopted for use by the Executive Board in October 2011.

In the context of the current Appeal the policy states that:

d) Infill development

There are isolated groups of dwellings in the countryside, some (but not all) of which form a clearly defined built frontage to a highway. A small gap within such a frontage can normally be infilled by one, or at most two, dwellings without adversely affecting the character and appearance of the area.

Policy H5 states that 'outside defined settlement limits new dwellings will only be permitted where proposals comprise infilling'. Infill proposals are defined as 'the development of one or two residential units in a small gap along a continuously developed highway frontage within a clearly identifiable group of buildings.'

Proposals for infill development will be carefully considered in relation to the following elements:

- Number of units: one or two residential units only will be acceptable, any more than this can have an adverse impact on the character and appearance of the countryside and the local distinctiveness of the area;
- Small gap: should be comparable in size and scale to the plots of adjoining properties and should be able to accommodate the number of units proposed. The dwellings should be of a similar size, scale and massing to those in the area with amenity circulation space comparable to adjoining properties;
- Continuously developed highway frontage: dwellings which are sited substantially away from the highway and have large front gardens and/or properties set within large plots with a sizeable gap to neighbouring properties are unlikely to constitute continuously built up frontages. Additional residential development in such cases will harm the rural character of the area.
- Group of buildings: there must be a group (5 or more dwellings) of buildings either in a row, on crossroads or in a cul de sac arrangement to allow infill development. Field parcels separating the dwellings would not be appropriate as a small gap and it would be unlikely that this could be defined as a group.

5. Grounds of Appeal

The originally submitted Planning Statement covers the key issues, but the detail of the refusal reason is discussed below:

5.1 5 Year Land Supply

Planning Policy Wales (Edition 9 – Nov 2016) sets out the land use planning policies of the Welsh Government and translates the Government's commitment to sustainable development in the planning.

Planning Policy Wales indicates at paragraph 9.2.3 that:

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 Study.

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.

There is a clear requirement to provide a 5 year supply of housing land within Planning Policy Wales (Edition 9 – Nov 2016)

The Councils Technical Advice Note (TAN) 1 – Joint Housing Land Availability Studies (January 2015) states in part '8. Transitional arrangements' that:

"8.2 Therefore local planning authorities that do not have either an adopted LDP or UDP will be unable to demonstrate whether or not they have a 5-year housing land supply and effectively will be considered not to have a 5-year supply. Those LPAs without an adopted development plan will be unable to produce a JHLAS until an adopted LDP is in place. However, as mentioned in paragraph 3.3 above, local planning authorities without an adopted LDP should continue to carry out an objective assessment of their housing land supply on an annual basis in preparation for their LDP"

As the Council does not have an up to date adopted LDP/UDP the Council **do not have a 5 year land supply**.

Part 6 of TAN1 relates to the issue of housing supply and states that:

“6.2 The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. 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.”

The latest Wrexham County Borough Council Housing Land Monitoring Study 2016 presents the housing land supply for the area at the base date of April 2016.

The document acknowledges that in the absence of an up-to-date Unitary Development Plan and adopted Local Development Plan (in accordance with latest Welsh Government Guidance within TAN1) there is no requirement for a Local Authority to produce a JHLAS and the authority is considered to have a zero land supply.

The historic land supply figures are shown in Appendix 3 – Previous Land Supply Data (large Sites) and this is shown below:

Year	5 year supply - Number of Homes				Number of years supply	Supply beyond 5 years – Number of Homes	
	1	2	Smll	S106		3	4
2007	546	1966			14.99	614	13
2008	411	1728			7.52	783	14
2009	154	1470			6.08	783	398
2010	175	1241			5.35	838	165
2011	381	968			3.9	1028	63
2012	191	786			3.5	824	52
2013	198	666			3.4	405	328
2014	89	690			3.1	546	54
2015	166	1124	75		NA	319	23
2016	234	383	69	88	NA	1036	154

The historic figures show a considerable and on-going undersupply of housing in the area compounding the undersupply of housing within the Council's area.

The Wrexham County Borough Council Housing Land Monitoring Study 2016 acknowledges that expediting planning applications is the only viable alternative to increase housing land supply in the short term. The document states at paragraph 3.0 to 3.2 that:

3.0 Conclusion

3.1 In acknowledgement of a lack of a 5 year housing land supply, the Council have been discussing potential developments with landowners and developers and providing relevant information. It will continue to do so in order to assist the successful delivery of further housing sites within the County Borough and to ensure there is a 5 year land supply when the LDP is adopted.

3.2 The Council will continue to:

- Take a pro-active stance in supporting appropriate growth in the County Borough where it meets policy objectives and identified local needs. This is not just about increasing housing numbers, but to promote sustainable growth in the right locations which meets the needs of local communities.
- Work with the Wrexham Town Centre Masterplan to inform policy by setting a clear strategy and framework vision, objectives and actions for the Town Centre.
- Promote a Development Team Approach to major development proposals.
- Liaise with developers to understand the problems they face in the current market conditions.

In conclusion Planning Policy Wales and TAN 1 requires each Local Planning Authority to ensure that sufficient land is available to provide a 5-year supply of housing land within their areas.

The Wrexham County Borough Council Housing Land Monitoring Study 2016 concludes that there is not a 5 year supply of housing land.

TAN 1 specifies that if Local Planning Authorities cannot provide a 5-year supply of housing land the need to increase supply should be given considerable weight when dealing with planning applications.

The current application seeks to assist in the increase in the supply of housing land within the Wrexham County Borough area in line with the requirements of Planning Policy Wales and TAN 1.

5.2 Compliance with Policy H5

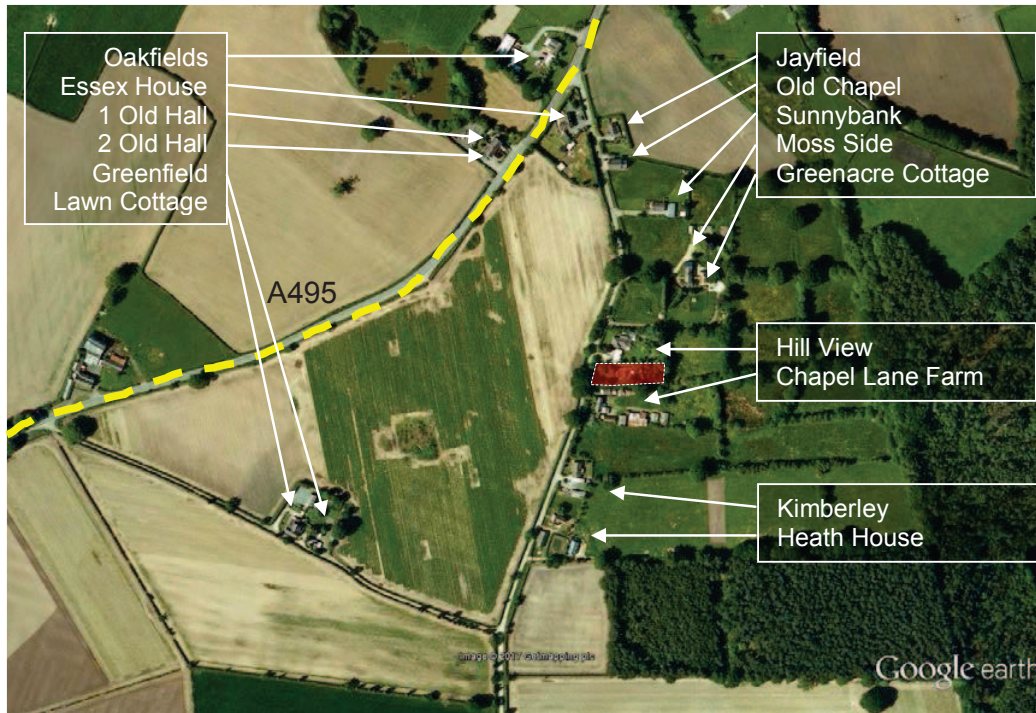
The scheme proposes the erection of a single dwelling in line with Policy H5 which states that:

Outside defined settlement limits new dwellings will only be permitted where:-

- a) proposals accord with Policies H3, H4, and H8; or
- b) proposals comprise infilling subject to Policy GDP1; or
- c) an essential need to house a full time agricultural or forestry key worker can be established and

The land sits adjacent to Chapel Lane and directly between Hill View and Chapel Lane Farm.

The context of the site in relation to the surrounding properties is shown below



In addition to the properties in the immediate area, there are properties on either side of the site which contain a number of outbuildings and sheds and this context is shown below.



Below are photographs of the properties immediately adjacent to the plot.



Hill View immediately to the north of the application site



Chapel Lane Farm immediately to the south of the application site



Agricultural Buildings adjacent to Chapel Lane Farm

These properties form a well-developed and established built up frontage.

Critically the site does not project into an area of unbounded open countryside and the site has clear and defensible boundaries.

It is clear that the site forms a natural infill plot within a well-developed built frontage as required by Policy H5.

5.3 Sustainability of the Settlement

The settlement of Bronington lies a short distance to the north which as a community has a population of around 3,224 with 1,280 households (2001 Census Key Statistics).

The village includes the following services and facilities:

Shop

Bronington Village Stores lies around 750m from the site and includes an off licence, Post Office, newsagents and groceries.

School

Bronington Church in Wales Primary School lies within the heart of the village around 880m from the site. The Bronington Playgroup lies within the School Community Room and provides places from aged 2.

Holy Trinity Church

The site lies between the Church and the village with the Church 1250m to the east of the site.

Post Box and Telephone

These lie adjacent to the village stores and within 740m of the site.

Transport

Policy PS4 of the Unitary Development Plan states that “Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car”.

The village is served by the bus service 146 which runs between Wrexham -Marchwiel -Penley -Whitchurch. The service provides a regular service between the settlements and the timetable is attached as Document 2.

The site lies between Ellesmere and Whitchurch on the A495.

Nearby Settlements

The site lies around 4 miles from Whitchurch, 6 miles from Ellesmere and 11 miles from Wrexham.

The nearby services and facilities ensure that Bronington is a sustainable settlement.

5.4 Personal Circumstances

The appellants are wishing to build the property in order that their daughter [REDACTED] and her partner can occupy the new property. She currently lives in Milton Keynes but wishes to move to the new dwelling to assist with the care of her parents.

[REDACTED]

[REDACTED]

If the property was built the daughter would be able to provide on-going care and assistance to her parents in the future.

6. Other Planning Issues

6.1 Deliverability

The site is available for immediate development and there are no known constraints to the development of the site.

Subject to planning permission being granted, the development of the site will occur at the earliest available opportunity.

6.2 Impact Upon Neighbouring Properties

The application is in outline only with all matters other than access reserved for later consideration.

The dwelling shown within the Indicative Layout Drawing 16/2475/01 has been positioned and orientated to ensure that there is no material impact upon the existing residential properties of Hill View to the north or Chapel Lane Farm to the south.

The scheme has followed guidance within LPGN 21 - Space around Dwellings, provides a good solution to the site constraints and will not materially impact upon any neighbouring property. However if specific concerns are raised in relation to the impact upon neighbouring properties, then the layout can be amended at the 'Reserved Matters' stage.

6.3 Drainage

The scheme proposes the installation of a treatment plant with an outfall to engineered soakaways within the owners land.

The surface water from the site will be taken to engineered soakaways.

6.4 Flood Risk

The site is shown to be outside the Natural Resources Wales (NRW) Indicative Floodplain which shows the 0.1% annual probability flooding and an extract of the NRW flood risk and surface water mapping is attached as Document 3.

There will be no detrimental impact upon any future occupiers of the development through flood risk or flooding from surface water and the development of the site will not result in the loss of flood storage capacity

The development fulfils the criteria within Technical Advice Note 15 Development and Flood Risk.

6.5 Vehicular Access

The indicative layout shown on the Drawing 16/2475/01 shows a single access point onto the lane.

The access to the site along with the surrounding highway network is capable of accommodating the traffic associated with the proposed dwellings.

6.6 Parking

It is anticipated that the house would be a 2/3 bedroom property which would require (under Local Planning Guidance Note No.16) 3 parking spaces.

The indicative layout Drawing 16/2475/01 demonstrates that each of the houses can be allocated the appropriate level of parking in accordance with the Local Planning Guidance Note No.16.

6. Conclusions

The scheme proposes a single dwelling within an area of open countryside outside of any settlement limit.

However the scheme meets the requirements of Policy H5 of the UDP and Local Planning Guidance No13 – Housing in the Countryside.

The site is surrounded by a cluster of buildings and dwellings and does not project into an area of unbounded open countryside.

The site has clear and defensible boundaries.

It is clear that the site forms a natural infill plot within a well-developed built frontage as required by Policy H5 of the UDP and 'part d) infilling development' of Local Planning Guidance No13 – Housing in the Countryside.

The current application seeks to assist in the increase in the supply of housing land within the Wrexham County Borough area in line with the requirements of Planning Policy Wales and TAN 1.

The site provides a sustainable form of development in line with local policy and Planning Policy Wales.

The personal circumstances of the appellant are a significant material consideration and weigh towards the appeal being allowed.

It is respectfully requested that the appeal is allowed

Document 1

Photographs of the Site



Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



Photograph 9



Photograph 10



Photograph 11



Photograph 12



Photograph 13



Photograph 14



Photograph 15



Photograph 16



Photograph 17



Photograph 18



Photograph 19



Photograph 20



Photograph 21

Bus Timetable – Service 146

146 Wrexham - Marchwiel - Penley - Whitchurch

Monday to Saturday except Bank Holidays : Llyn i Sadwrn henblaw Gwylliau Cyhoeddus

GHA COACHES

Days / Dyddiau:	SDO	SDO	SSH	SSH	SDO	SSH	SDO	SSH	SDO	41A	41A						
Wrexham, Bus Station [2]	0645	0810	....	0845	0945	1045	1145	1245	1345	1445	1545	1615	1645	1745	1801	1930	2230
Market Street	0649	0814	....	0849	0949	1049	1149	1249	1349	1449	1549	1619	1649	1749	1804	1933	2233
Eagles Meadow	0651	0816	....	0851	0951	1051	1151	1251	1351	1451	1551	1621	1651	1751	1808	1956	2300
Hightown, Farmfoods	0655	0820	....	0855	0955	1055	1155	1255	1355	1455	1555	1625	1655	1755	1811	1951	2251
Marchwiel, Piercy Avenue	0659	0824	....	0859	0959	1059	1159	1259	1359	1459	1559	1629	1659	1759	1818	1953	2253
Cross Lanes	0701	0826	....	0901	1001	1101	1201	1301	1401	1501	1601	1631	1701	1801	1825	1951	2251
Bangor-on-Dee	0704	0829	....	0904	1004	1104	1204	1304	1404	1504	1604	1634	1704	1804	1825	1956	2256
Bangor on Dee Racecourse	0708	0833	....	0908	1008	1108	1208	1308	1408	1508	1608	1638	1708	1808	1825	1956	2300
Overton	0711	0836	....	0911	1011	1111	1211	1311	1411	1511	1611	1641	1711	1811	1825	1956	2303
Lightwood Green	0714	0841	....	0914	1014	1114	1214	1314	1414	1514	1614	1644	1714	1814	1825	1956	2303
Penley	0718	0845	0918	0918	1018	1118	1218	1318	1418	1518	1618	1648	1718	1818	1825	1956	2303
Hanmer	0725	....	0925	0925	1025	1125	1225	1325	1425	1525	1625	1655	1725	1825	1825	1956	2303
Bronington	0730	....	0930	0930	1030	1130	1230	1330	1430	1530	1630	1700	1730	1830	1825	1956	2303
Whitchurch	0740	....	0940	0940	1040	1140	1240	1340	1440	1540	1640	1710	1740	1840	1825	1956	2303

146 Whitchurch - Penley - Marchwiel - Wrexham

31 Marchwiel - Wrexham

Monday to Saturday except Bank Holidays : Llyn i Sadwrn henblaw Gwylliau Cyhoeddus

GHA COACHES

Service No. / Rhif Gwasanaeth:	31	146	146	146	146	146	146	146	146	146	146	146	146	146	146	146	146	41A
Days / Dyddiau:	SDO	SDO	SSH	SSH	SDO	SSH	SDO	SSH	SDO	SSH	SDO	SSH	SDO	SSH	SDO	SSH	SDO	41A
Whitchurch	....	0740	0745	....	0945	1045	1145	1245	1345	1445	1445	1445	1445	1445	1445	1445	1445	1445
Bronington	....	0751	0755	....	0955	1055	1155	1255	1355	1455	1455	1455	1455	1455	1455	1455	1455	1455
Hanmer	....	0757	0800	0900	1000	1100	1200	1300	1400	1500	1500	1500	1500	1500	1500	1500	1500	1500
Penley, Dymock Place	....	0805	0807	0907	1007	1107	1207	1307	1407	1507	1507	1507	1507	1507	1507	1507	1507	1507
Penley, Maelor School	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Lightwood Green	....	0809	0811	0911	1011	1111	1211	1311	1411	1511	1511	1511	1511	1511	1511	1511	1511	1511
Overton	....	0813	0814	0914	1014	1114	1214	1314	1414	1514	1514	1514	1514	1514	1514	1514	1514	1514
Bangor-on-Dee, Racecourse	....	0817	0818	0918	1018	1118	1218	1318	1418	1518	1518	1518	1518	1518	1518	1518	1518	1518
Bangor-on-Dee	....	0821	0822	0922	1022	1122	1222	1322	1422	1522	1522	1522	1522	1522	1522	1522	1522	1522
Cross Lanes	....	0823	0824	0924	1024	1124	1224	1324	1424	1524	1524	1524	1524	1524	1524	1524	1524	1524
Marchwiel, Piercy Avenue	0727	0826	0826	0926	1026	1126	1226	1326	1426	1526	1526	1526	1526	1526	1526	1526	1526	1526
Hightown, Farmfoods	0738	0830	0830	0930	1030	1130	1230	1330	1430	1530	1530	1530	1530	1530	1530	1530	1530	1530
Eagles Meadow	0741	0834	0834	0934	1034	1134	1234	1334	1434	1534	1534	1534	1534	1534	1534	1534	1534	1534
Market Street	0742	0836	0836	0936	1036	1136	1236	1336	1436	1536	1536	1536	1536	1536	1536	1536	1536	1536
Wrexham, Bus Station	0744	0844	0840	0940	1040	1140	1240	1340	1440	1540	1540	1540	1540	1540	1540	1540	1540	1540

SDO: Schooldays Only/Dyddiau Ysgol yn Unig

SSH: Saturdays and School Holidays only/ Dydd Sadwrn a Gwylliau Ysgol yn unig

From 17 May 2014/ O 17 Mai 2014

Natural Resources Wales Flood Risk Map

Map Perygl Llifogydd / Flood Risk Map

Allwedd / Map Key

— Flood Defences

Risk of Flooding from Rivers & Sea

High

Medium

Low

Very Low

Risk of Flooding from Reservoirs - Extent

High Surface Water Flood Risk - Extent

Medium Surface Water Flood Risk - Extent

Low Surface Water Flood Risk - Extent

Graddfa / Scale 1:5,000

Dyddiad / Date
25/05/2017



0.3 0.13 0 Kilometers

British_National_Grid

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