

CONSULTATION RESPONSES	Objects	No Objection	Comments	Accepts	No reply
Community Council	x				
Local member(s)					x
Highways	x				
Public Protection			x		
Natural Resources Wales	x				
Welsh Water			x		
Flood Officer					x
Neighbours	x				

KEY ISSUES	Summary of Relevant History (<u>See SX3 History</u>)
Action required	Committee No

PLANNING POLICY/CONSTRAINTS

UDP NOTATION	YES	ACCEPTABLE	NOT ACCEPTABLE
Outside settlement	x		x
Inside settlement			
Conservation Area			
Listed Building/ setting			
Green Barrier			
Special Landscape Area			
Flood Risk			
Within Buffer Zone or affecting SAC*			
World Heritage Site			
AONB			
Other			

KEY ISSUES	Acceptable	Observations below	Conditions Required	Not Acceptable	N/A
Residential Amenity		x		x	
Design* (see below)		x		x	
Accessibility*				x	
Highway safety		x		x	
Parking				x	
Conservation/LB					x
Ecology		x		x	
Landscaping		x		x	
Other					x

OBSERVATIONS:

Principle of Development

The site is outside the settlement limit. The principle of development in this location is unacceptable when assessed against the applicable policies PS1, PS2, PS3, PS4, GDP1 and H5 of the Wrexham Unitary Development Plan with respect to the broad location of development, general principles of development and housing in the countryside.

The proposals do not accord with any of the limited circumstances set out in policy H5 that permit small scale residential development on sites outside of settlement limit (rural exception site, infilling and agricultural workers dwellings), or the advice contained within Planning Policy Wales (PPW).

PPW requires that Planning Authorities must ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing.

Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies advises that where a local planning authority does not have an adopted Local Development Plan or where an adopted UDP is outside of the plan period, they will not be able to produce a JHLAS and therefore will not be able to demonstrate whether they have a 5 year housing land supply or not.

The UDP plan period expired in 2011 meaning Wrexham is now unable to demonstrate whether it has a 5 year housing land supply. The housing land supply in Wrexham is therefore judged to be zero.

Welsh Government has now dis-applied paragraph 6.2 of TAN1 which advised that that considerable weight should be attached to the need to increase housing land supply where local planning authorities were unable to demonstrate a 5 year housing land supply. The weight afforded to this matter therefore is to be determined on a case by case basis.

This Council does though continue to take a pro-active stance in supporting appropriate growth in the County Borough where it meets policy objectives and identified local needs. However, it is important to understand that this is not just about increasing housing numbers, but to promote sustained growth in the right location which meets the needs of the local communities. Therefore each site that comes forward will be considered on its merits with the principal considerations focusing on whether the site satisfies all of the relevant planning considerations and represents a sustainable form of development.

The deposit LDP identifies a need to make provision 8525 new homes over the 2013-2018 period in order to deliver a requirement of 7750. Taking into account completions over the 2013-2017 period, committed housing supply (i.e. sites with planning permission) and a projected allowance for windfall sites, land to deliver 3376 new homes need to be brought forward over the remaining LDP plan period. To fulfil that requirement the Deposit LDP includes proposals to allocate 19 sites in total: 2 key strategic sites and 17 non-strategic sites.

This site was considered through the Site Assessment process which informed the allocations in the LDP under reference BRN03 and was ruled out for the following reasons: Fails Stage 1 of the Candidate Site Assessment process (Trees, access, unacceptable form of development) and is not therefore proposed to be allocated in the LDP.

In considering the advice set out in Planning Policy Wales (Ed 10), there is nothing that would support such this proposal. Although para 3.40 refers to giving consideration to suitable and sustainable greenfield sites within or on the edge of settlements, this forms part and parcel of the site selection process for identifying new sites to be allocated in the Local Development Plan and should only be considered in exceptional circumstances and against a range of criteria. It is not for giving general consideration for proposals outside settlement limits contrary to policy. Para 3.56 indicates that minor extensions to existing settlements may be acceptable, but places this in the context of meeting a local need for affordable housing, or where it can be demonstrated that the proposal will increase

economic activity. There is no accompanying evidence within the application to demonstrate that this is the case.

In considering the proposals in the Deposit LDP, the site is outside recognised settlement limits and as such is contrary to policy SP2 which directs development to the defined settlement limits and employment areas on the Proposals Maps (see extract below)



19. Bronington

Proposals for development outside defined settlement limits are subject to **policy H7** as set out below:

Policy H7: Housing in the Countryside

Proposals for housing development outside defined settlement limits will only be permitted where:

- i. It is for the purposes of agriculture, forestry or other rural enterprise as defined in TAN6, or
- ii. it involves the replacement of an existing dwelling (see policy H8), or
- iii. it involves the subdivision of an existing dwelling, provided the dwelling is capable of subdivision without major extensions tantamount to the erection of an additional dwelling or dwellings, or
- iv. it involves the conversion of an existing non-residential building (see policy H9), or
- v. it comprises sensitive infill development of no more than two dwellings in a small gap within a well-developed built frontage, or
- vi. the proposal is for affordable housing rural exception sites on land adjoining the settlement limits (see policy H3), or
- vii. One Planet development as defined in TAN6.

There is no evidence within the application documentation that would ensure that the proposal complies within this policy. In any case, little weight can be applied to the policies in the Deposit plan at present; however, the evidence used in its creation can be treated as a material consideration.

Planning Policy Wales paragraph 3.35 advises that *'In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable place making outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.* Whilst there is a school and shop in Bronington, the proposed dwellings would be remote from employment opportunities, variety of retail options, medical facilities and community services etc. located within the larger settlements.

The No.146 bus runs just 3 time per day to Whitchurch, and 4 to Wrexham, Monday to Saturday. There are no buses on a Sunday or bank holiday. This is not considered to be a regular bus service and occupiers of the development would need to access services elsewhere. Given the lack of footways and lighting, together with the narrowness and poor surface of the roads, both walking and cycling are not considered realistic options as more sustainable modes of transport. Future occupiers of the site are therefore likely to be reliant on the private car for most journeys, increasing the number of private car journeys in the vicinity. The proposal would not minimise the demand for travel, especially by means of the private car and Bronington cannot therefore be regarded as a sustainable settlement.

Ecology

The development will lead to the loss of locally valuable habitats which cannot be replaced or mitigated on site, with pressure being placed on the remaining vegetation (particularly the oak tree) and the loss of native hedgerow to facilitate access.

The vegetation on site consists of scrub and small trees and provides habitat for nesting birds, reptiles, hedgehogs and foraging bats. Within such a tight sight, mitigation is not possible impossible and to allow the development would be contrary to UDP Policies PS3 and EC6.

Trees

The layout does not appear to be compatible with the proposed retention of the three valued category 'B' oak trees identified within the accompanying tree report. The risk of the longevity, health and well-being of the largest of these oaks (Ok 6) being compromised by the construction and occupancy of plots 2, 3, 4 and 5 is not considered acceptable; neither are the similar risks presented to the remaining smaller two 'category 'B' oaks (Ok1 and Ok6) due to the proximity of plots 1 and 2 and their future occupancy.

A significant proportion of the root protection area (RPA) of oak 6 will occupy the proposed garden areas of plots 2, 3, 4 and 5. This will involve landscaping and disturbance of soils and roots both during construction and subsequent occupancy. The canopy of oak tree encroaches over the boundary of plots 3 and 5 and whilst shading is not considered an issue here, encroachment itself may present an increasing resentment toward the tree leading to pressure to have the crown reduced in parts.

The two trees, oak 1 and oak 10 are reasonable specimens with potential to provide good amenity value as roadside trees; I fear that the proximity of plots will not accommodate for the unhindered development of the crowns and roots of these trees.

The objective of BS5837:2012 is to achieve a harmonious relationship between trees and structures that can be sustained in the long-term. I do not believe this proposed layout will achieve this.

The loss of existing native hedgerow and scrub from the site to facilitate development may only be considered acceptable providing appropriate mitigation is provided. The proposed layout does not provide adequate space for the replacement of the existing hedgerow, scrub and category 'C' trees. In accordance with WCBC Tree & Woodland Strategy, the development proposal should seek to enhance canopy cover and biodiversity levels through additional tree planting; again adequate space is not being provided for this requirement. To allow the development would be contrary to UDP Policies PS2, GDP1 and EC4.

Drainage

The site is situated with DAM zone A as defined within TAN 15. It would appear that areas adjacent to the site are identified as being at risk of surface water flooding as defined on NRW's flood map for surface water. No information has been included within the application on how surface water managed by the development will be managed, although a preference has been indicated that SuDS, Soakaway and mains sewer will be considered. It is essential that, prior to permission being granted, a feasible means of managing surface waters generated by new, impermeable surfaces on site will be managed. As a minimum an indicative drainage proposal should have been submitted, but consideration also be given to the Welsh Ministers statutory standards for Sustainable drainage. In the absence of this information to allow the development would be contrary to UDP Policies GDP1 and EC13.

Character and Appearance of the Area

To develop the site and extend the built form into the countryside would extend the pattern of the built-up area out in a ribbon form and would have an urbanising effect that would erode the amount of open space at the edge of the settlement, and the rural character and associated appearance of the well-defined wooded edge to the village. The development would not therefore accord with the national planning policy and would therefore represent an inappropriate form of development in this countryside location.

Conclusion

The key issues are that the residential development of this greenfield land, would have a detrimental impact upon the character and appearance the area. The development would not comply with planning policy and there are insufficient grounds to warrant departing from UDP policies in this instance, despite the lack of a 5 year housing land supply in Wrexham. The proposed development is unacceptable in principle and would fail to deliver development plan and national planning policy objection.

RECOMMENDATION SUMMARY

Recommend Refusal	Summary of Reasons	LM(s) Notified of Delegated refusal? (Include any response)	
x	Principal, Drainage, Trees and Ecology	Cllr Skelland Notified agrees to 04/02/2019	