
Planning Statement

Land South of Holt Road, Wrexham

**On behalf of Barratt Homes, Bloor Homes North West, John
Raymond Jones and the Trustees of the Wrexham
(Parochial) Education Foundation**

January 2019

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by Barton Willmore, on behalf of Barratt Homes, Bloor Homes North West, John Raymond Jones and the Trustees of the Wrexham (Parochial) Education Foundation as joint applicants (the "Applicants"), in support of an outline planning application for the proposed residential development of land south of Holt Road, Wrexham.

1.2 This Statement should be read in conjunction with the other technical documentation submitted in support of the planning application (the "Application") as listed in **Table 1** of this Statement (below).

Summary of Proposed Development

1.3 The Application seeks outline planning permission for up to 600 dwellings, with associated landscaping, public open space, and on-site infrastructure, with all matters reserved except for access.

Pre-Application Consultation

1.4 The Applicants have actively engaged in pre-application discussions with Wrexham County Borough Council ("WCBC") for a number of years in advance of the submission of this Application. This is linked to the promotion of the Site through the Local Development Plan ("LDP") process, and the inclusion of the Site as a Key Strategic Site within the emerging LDP which is deliverable and capable of accommodating up to 600 dwellings, providing a significant proportion of Wrexham's housing needs over the emerging Plan period.

1.5 Details of the extent of pre-application engagement in accordance with Welsh Government Guidance is provided in the Pre-Application Consultation Report ("PAC Report") which accompanies this Application.

EIA Screening

1.6 The development falls within Category 10 (b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the Regulations"), as an urban development project where the area of the development exceeds 5 hectares and includes more than 150 dwellings.

- 1.7 An Environmental Impact Assessment (EIA) Screening Request was submitted to WCBC on 10 November 2017 in accordance with the Regulations. Additional information was submitted to WCBC on 22 December 2017. WCBC issued a Screening Opinion on 18 January 2018, which confirmed that the proposed development would not need to be the subject of an EIA (see **Appendix 1 for a copy of the Screening Opinion**).

Planning Application Pack

- 1.8 Table 1 below lists the technical documents and plans which form part of the Application.

Table 1 – Planning Application Documents

Site Location Plan	Ref: 661B 03A
Indicative Masterplan	Ref: 661B 04 C
Parameters Plan	Ref: 661B 05 B
Access Plan	Ref: CBO-0322-011
Topographical Survey	Greenhatch Group
Planning Statement	Barton Willmore
Design and Access Statement	Randall Thorpe
Landscape and Visual Impact Assessment	Randall Thorpe
Transport Assessment	CBO
Travel Plan	CBO
Welsh Language Impact Statement	Barton Willmore
Flood Consequence Assessment and Drainage Strategy	Lees Roxburgh
Air Quality Assessment	Miller Goodall
Noise Assessment	Miller Goodall
Prior Extraction Statement	Wardall Armstrong
Sustainability Statement	Briary Energy
Heritage Assessment	RPS CgmS
Agricultural Land Quality	Reading Agricultural
Phase 1 Ecological Survey	Tyler Grange
Arboricultural Impact Assessment	Tyler Grange
Phase 1 Ground Investigation	Smith Grant Environmental Consultancy

Economic Benefits Summary (Appended to Planning Statement)	Barton Willmore
Pre-application Consultation Report	Lexington Communications

Site Planning History

- 1.9 There is no planning history of relevance associated with the proposed development of the Site.

2. THE SITE AND SURROUNDING AREA

- 2.1 This Section provides details on the Site's location, surroundings and key physical characteristics.

Site Context

- 2.2 The Site is located north-east of the town of Wrexham, within the administrative boundary of WCBC. The northern boundary of the Site is adjacent to Holt Road (A534), which provides direct access to the centre of Wrexham and the wider strategic road network. Beyond this, lies Wrexham Golf Course, Borrass Quarry and extensive agricultural land. The eastern boundary of the Site borders arable fields beyond which lies Sandy Lane and Clays Touring and Leisure Park and Clays Golf Course. The northern section of the eastern boundary consists of a Ready Mixed Concrete plant located in an historic quarry area. Bryn Estyn Road forms the southern boundary of the Site, beyond which is Wrexham Rugby Club, a single residence, the Erlas Victorian Garden, and the Erlas Centre with agricultural land beyond. Established residential properties form the western boundary of the Site which are accessed from the A534.
- 2.3 In the north-west corner of the Site, beyond the Site boundary, is Tyn-twl Farm buildings. Residential properties at Bryn Estyn Court are located immediately adjacent to the southern boundary, on the north side of Bryn Estyn Road. To the south of Bryn Estyn Road is the Erlas Centre and Erlas Victorian Walled Garden.
- 2.4 Along the southern boundary of the Site are field entry points accessed from Bryn Estyn Road, with the boundary itself consisting of predominantly mature hedgerows with intermittent hedgerow trees.

Site Description

- 2.5 The Site extends to 28.52 hectares (ha) and is approximately rectangular in shape. It is currently in agricultural use and consists of seven separate fields. Internal field boundaries are mainly hedgerows or tree-lined. Four separate and interconnecting electricity lines cut across the Site.
- 2.6 A drainage ditch enters the Site from the north-west corner and runs along in an eastern direction across the north-western section of the Site. The drainage ditch ends at a wooded area at a junction of three field boundaries, just south of the A534

roundabout. A further drainage ditch enters the Site from the north-east corner and runs along the northern boundary of the Site for a short distance.

Existing Connectivity of the Site

- 2.7 The A534 Holt Road is located immediately to the north of the Site and provides an important route for vehicles to gain access into the centre of Wrexham and Wrexham Industrial Estate, and the wider strategic road network. Sandy Lane is located to the east of the Site which provides access to Clays Golf course.
- 2.8 Bryn Estyn Road runs immediately south of the Site and provides another access route into the centre of Wrexham; although this road is secondary in nature.
- 2.9 There is a shared footway/cycleway which runs east to west just north of the northern Site boundary. There is a pedestrian/cycle connection from the existing residential estate to the west of the Site to Bryn Estyn Road. The Site benefits from excellent cycle and pedestrian routes from Bryn Estyn Road in an easterly direction to Wrexham Industrial Estate. The nearest bus stops are located on St Mellion Crescent.
- 2.10 There are a number of local schools and education facilities within close proximity to the Site, and the town centre and Industrial Estate are within easy reach of the Site and within easy reach of public transport provision which serves the surrounding area.

3. THE PROPOSED DEVELOPMENT

- 3.1 This Section provides details of the proposed development.
- 3.2 The Applicants seek outline planning permission for the construction of up to 600 dwellings, with associated landscaping, public open space, and on-site infrastructure, with all matters reserved except for access.
- 3.3 The Application is accompanied by a number of drawings which include:
- Location Plan Ref: 661B 03 A
 - Illustrative Masterplan Ref: 661B 04 C
 - Parameters Plan Ref: 661B 05 B
 - Access Plan Ref: CBO-0322-011
- 3.4 Detailed approval is sought for the main access into the Site from the north, with all other indicated access points being indicative at this time.
- 3.5 The proposed housing mix, whilst only indicative at this stage, is expected to comprise of 2, 3 and 4 bedroom properties, with 15% 2-bed, 60% 3-bed and 25% 4-bed. The scheme will provide up to 40% affordable housing comprising an indicative mix of 2 and 3 bedroom properties.
- 3.6 The precise level of affordable housing to be delivered as part of the development will be determined following the outcome of further viability assessment being undertaken by WCBC and the Applicants. Policy H2 of the emerging LDP establishes a starting point of 40% affordable housing in the sub-market area within which the Site is located. However, the evidence to support that requirement is to be revisited by WCBC following the receipt of a number of objections to Policy H2 and its evidence base during the Deposit LDP consultation. The Applicants are committed to delivering an appropriate level of affordable housing on the Site, to meet local needs, and it is anticipated that an affordable housing position statement will be agreed with WCBC officers during the course of the application determination process.

3.7 The indicative land use areas for the development is broken down as follows:

- Site area: 28.52 ha
- Residential development: 15.6 ha
- SUDS attenuation: 0.6 ha
- Planting: 1.3 ha
- Other incidental green space: 5.7 ha

4. PLANNING POLICY CONTEXT

Development Plan

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004), and Paragraph 1.2.1 of Planning Policy Wales¹⁰ ("PPW10"), requires that the determination of the Application must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.2 The adopted Development Plan relevant to this Application comprises the Wrexham UDP ("UDP") which was adopted in 2005 and covers the Plan period from 1996 – 2011.
- 4.3 According to the UDP, the Site is located within designated Green Barrier (Policy EC1).
- 4.4 The role of the Green Barrier, as defined by Policy EC1 (and Paragraph 5.2) of the UDP, is:
- To prevent the coalescence of urban areas and villages with other settlements;
 - To assist in safeguarding the countryside from encroachment;
 - To protect the setting of an urban area and villages; and
 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 4.5 The UDP is, however, largely out-of-date on the basis that it was only ever intended to guide development over a period up to 2011.
- 4.6 Whilst the UDP is time expired, it remains the adopted development plan for decision making purposes unless there are material planning considerations which indicate otherwise.
- 4.7 Relevant UDP Policies include:
- Strategic Policies – Broad location of development¹:
 - Policy PS1 – Settlement boundaries
 - Policy PS2 – Development impact
 - Policy PS3 – Land use
 - Policy PS4 – Settlement patterns
 - Policy PS8 – Transport

¹ No named policy title

- Policy PS9 – Minerals
- Policy PS11 – Biodiversity
- Policy GDP1 – Development Objectives
- Policy EC1 – Green Barriers
- Policy EC2 – Agricultural Land
- Policy EC4 – Hedgerows, trees and woodland
- Policy EC6 – Biodiversity Conservation
- Policy EC12 – Development and Flood Risk
- Policy EC13 – Surface Water Run-off
- Policy EC14 – Protection of controlled waters
- Policy H7 – Affordable Housing
- Policy CLF4 – Playing fields and open space
- Policy CLF5 – Open space requirements from new developments
- Policy EC11 – Archaeology
- Policy MW9 – Protection of Mineral Resources

Emerging Local Development Plan

- 4.8 WCBC is currently preparing a new Local Development Plan (“emerging LDP”) to replace the old UDP. The document is at an advanced stage, with WCBC consulting on the LDP Deposit Plan from April – July this year. The LDP has now been submitted for Examination following approval by Members in November 2018. Whilst the timetable for Examination of the emerging LDP is currently unknown, it is anticipated that Hearings could commence in the Spring of 2019, with adoption towards the end of 2019 at the earliest. Once adopted the LDP will cover the Plan period up to 2028.
- 4.9 Within the emerging LDP, the Site forms part of a proposed Key Strategic Site for residential development, known as KSS2 (Land East of Cefn Road, Wrexham) under Policy SP5.
- 4.10 Within Policy SP5, it states:

“Land is allocated east of Cefn Road, Wrexham, as shown on the proposals map to deliver a residential led mixed use scheme with a minimum of 1,680 new homes, 1,580 of which will be delivered within the Plan period. Development will include an element of affordable housing and associated communities uses, along with

necessary infrastructure which will be delivered in a phased manner with specific details tied into planning consents:

Necessary Infrastructure:

- **Highways improvements to address known infrastructure capacity constraints at the Greyhound roundabout;**
- **Ensuring connectivity between the land north and south of Bryn Estyn Road;**
- **Education: on-site provision of a 420 place primary school, contributions towards secondary provision in the vicinity of the site and the retention of existing (65,393 sqm) of playing fields for Ysgol Morgan Llwyd;**
- **Public open space;**
- **Community and leisure facilities, including the retention of the Erlas Victorian Walled Garden;**
- **Active Travel; and**
- **Public Transport**

4.11 The Site will form the northern part of the KSS2 allocation and will deliver up to 600 dwellings of the overall allocation of 1,680 dwellings. The submission of this Application and a favourable determination by the WCBC will demonstrate the commitment by both WCBC and the Applicants to deliver much needed new homes in this location and will support the housing delivery strategy of the emerging LDP.

4.12 The following policies within the emerging LDP are of relevance to this Application:

Table 2 – Relevant emerging LDP Policies

Policy	Policy Name
SP1	Housing Provision
SP2	Location of Development
SP3	Key Strategic Housing Sites
SP5	KSS2 – Land east of Cefn Road, Wrexham
SP6	Planning Obligations
SP12	Transport and Accessibility
SP13	Design Principles and Masterplanning Framework
SP14	Health and Wellbeing

SP15	Natural environment
SP16	Historic and Cultural Environment
SP17	Minerals Supply and Safeguarding
SP19	Climate Change
SP20	Green Infrastructure
DM1	Development management considerations
NE1	International and national designated nature conservation sites
NE2	Locally designated sites of nature conservation and geological importance
NE3	Trees and Woodland
NE6	Waste Water Treatment and River Water Quality
H1	Housing Allocations
H2	Affordable Housing
T1	Managing Transport Impacts
T2	Active Travel
T3	Passenger Transport
T6	Strategic Transport Infrastructure Improvements
CF2	Provision of New Open Space
WL1	Welsh Language and the Social and Cultural Fabric of Communities
MW1	Minerals Safeguarding
RE1	Development and Renewable Energy/Low carbon technology

- 4.13 The emerging LDP is at an advanced stage and it is the Applicants' position that substantial weight can be attributed to the emerging LDP and KSS2 allocation. The Plan is representative of WCBC considers to be a sound strategy for the delivery of new homes over the next 10 years.

5. NATIONAL PLANNING POLICY

Planning Policy Wales (10th Edition, December 2018)

- 5.1 The fundamental purpose of the planning system is to contribute to the achievement of sustainable development. The Welsh Government has recently published updated national guidance in the form of the 10th Edition of Planning Policy Wales (PPW10).
- 5.2 The following key issues and policies set out within PPW10 are considered relevant to the proposed development.

What is sustainable development (Chapter 1)

PPW10 is clear that up to date development plans are the basis of the planning system and planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise.

Planning for Sustainability (throughout)

- 5.3 The need to promote sustainable patterns of development is evident throughout the PPW.

Managing urban form by means of green belts and green wedges (Chapter 3)

- 5.4 Section 3.60 to 3.73 of PPW10 seeks to clarify the role of Green Wedges (and Green Belt). It confirms that proposals for both should be soundly based and should only be applicable where there is a demonstrable need to protect urban form and alternative policy mechanisms are not sufficiently robust. It confirms that green wedge policies should be reviewed as part of the development plan process and that green wedges are local designations which essentially have the same purpose of green belts and may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views.
- 5.5 When considering applications for planning permission in green wedges, a presumption against inappropriate development applies, and that planning permission should only be granted in very exceptional circumstances and **“where other considerations clearly outweigh the harm which such development would do to the green wedge [...]. These very exceptional cases would therefore be treated as departures from the plan”²**

²PPW10, Paragraph 3.70

- 5.6 PPW10 is clear that the role of the Green Wedge is essentially to have the same purpose as the Green Belt³ and to:
- Prevent the coalescence of large towns and cities with other settlements;
 - Manage urban form through controlled expansion of urban areas;
 - Assist in safeguarding the countryside from encroachment;
 - Protect the setting of an urban area; and
 - Assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 5.7 It seeks to limit development within the Green Wedge to:
- Justified rural enterprise needs;
 - Essential facilities for outdoor sport/recreation, cemeteries and other uses of land which maintain the openness of the Green Wedge and do not conflict with the purpose of including land within it;
 - Limited extension, alteration or replacement of existing dwellings; and
 - Small scale diversification (farm).

Design Principles (Chapter 3)

- 5.8 PPW10 promotes good design and the objectives of good design should be applied in all development proposals – access, character, movement, environmental sustainability and community safety.

Agricultural Land Quality (Chapter 3)

- 5.9 PPW10 seeks to protect best and most versatile ("BMV") land and identifies that significant weight should be given to its protection from development⁴. It states that Grade 1, 2 and 3a should only be developed if there is an overriding need for the development. If grade 1, 2 or 3a needs to be developed, development should be directed to the lowest grade.

Welsh Language (Chapter 3)

- 5.10 PPW10 encourages and supports the use of the Welsh Language and seeks to strengthen its use in everyday life. Proposals must consider the likely impact on the Welsh Language and is a material consideration in planning decisions.

³ PPW10, Paragraphs 3.63 and 3.64

⁴ PPW10, Paragraph 3.55

Transport (Chapters 3 and 4)

- 5.11 A transport hierarchy approach to development is supported by PPW10. It states that development should, be accessible by walking and cycling and well served by public transport followed by private car. This aim is to ensure that new development is located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable development to employment, local services and community facilities. It sets out that transport assessments are required for large scale developments.

Housing (Chapter 4)

- 5.12 PPW10 confirms that LPAs must ensure that the supply of land to meet the housing requirement proposed is deliverable⁵ and that sufficient land is genuinely available or will become available to provide a five year supply of land for housing⁶. It also confirms that planning applications which comply with up-to-date development plans should be assumed to be viable and it should not be necessary for viability issues to be considered further. It is for the applicant or LPA to demonstrate that particular exceptional circumstances justify the need for a viability assessment at the applications stage and the weight given to this is a matter for the decision maker⁷. It also confirms that affordable housing is a material consideration in determining relevant applications⁸

Minerals (Chapter 5)

- 5.13 The chapter identifies that proposals for minerals development or where mineral resources are relevant will be assessed against other guidance contained within PPW⁹. In relation to sand (non-energy mineral aggregate), it identifies that the importance of minerals should be taken into account when determining planning applications.

Infrastructure and Services (Chapter 5)

- 5.14 PPW10 identifies the targets set out by the Welsh Government and that it is the role of the planning system to ensure the delivery of these targets. This includes through sustainable development and design¹⁰ and the role of LPAs in helping to move towards a low carbon economy.

⁵ PPW10, Paragraph 4.2.10

⁶ PPW10, Paragraph 4.2.15

⁷ PPW10, Paragraph 4.2.21

⁸ PPW10, Paragraph 4.2.25

⁹ PPW10, Paragraph 5.14.22

¹⁰ PPW10, Paragraph 5.8.3

Distinctive and Natural Places (Chapter 6)

- 5.15 Proposals must take account of the wildlife or landscape value of an area, and it is important to balance conservation objectives with the wider economic needs of local business and communities and should be taken into account at an early stage of the process¹¹. LPAs should consider and avoid any adverse impacts on the environment. Statutory designations do not prohibit development, but their effect must be assessed.

Green Infrastructure (Chapter 6)

- 5.16 The provision of green infrastructure is encouraged, and the quality of the built environment should be enhanced by integrating green infrastructure into development¹².

Landscape (Chapter 6)

- 5.17 Landscape value is an intrinsic part of PPW10 and consideration should be given at the outset to landscape value to ensure that well being needs and an effective and integrated approach to natural resource management in the long term can be achieved.

The historic environment (Chapter 6)

- 5.18 Any decision made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contributions to the character of place¹³

Flood Risk and Drainage (Chapter 6)

- 5.19 PPW10 confirms that development should reduce and must not increase the risk of flooding¹⁴. It also confirms that in determining planning applications, LPAs should work closely with NRW, drainage bodies, sewerage undertakes and relevant authorities, to ensure that surface water run-off is controlled as near to the source as possible by the use of SUDS and to ensure that development does not increase flooding elsewhere by loss of flood storage / flood flow route; or increase the problem of surface water run-off¹⁵.

¹¹ PPW10, Paragraph 6.4.4

¹² PPW10, Paragraph 6.2.5

¹³ PPW10, Paragraph 6.19

¹⁴ PPW10, Paragraph 6.6.25

¹⁵ PPW10, Paragraph 6.6.27

Contaminated Land (Chapter 6)

- 5.20 Planning decisions should take account of the nature, scale and extent of land contamination and in doing so take account of the potential hazard that contamination presents to the development itself, its occupants and the local environment and the results of a specialist investigation and assessment by the developer to determine the contamination of the ground and identify if any remedial measures required to deal with any contamination are required¹⁶.

Air Quality (Chapter 6)

- 5.21 PPW10 is clear that the potential for pollution is a material consideration and developers must ensure that any implication arising from air quality are taken into account. Proposals should not create areas of poor air quality and should seek to incorporate measures which reduce overall exposure to air pollution. It is recognised that in some instances it is necessary for air quality assessments to be undertaken as part of the application¹⁷.

Noise Pollution (Chapter 6)

- 5.22 Noise is identified as a material planning consideration and LPAs should assess likely noise levels prior to determining planning applications.

¹⁶ PPW10, Paragraph 6.9.18

¹⁷ PPW10, Paragraph 6.77

6. OTHER MATERIAL CONSIDERATIONS

- 6.1 There are a number of material considerations relevant to the Application as set out below.

Supplementary Planning Documents

- Landscaping and Design
- Public Open Spaces on New Housing Developments
- Parking Standards
- Trees and Development
- Sustainable Development
- Designing out crime
- Developer contributions to schools
- Affordable housing
- A guide for developers and architects when designing residential development
- Welsh language and Welsh communities

LDP Evidence Base Papers

- Housing Supply and Delivery (2018)
- SPG Masterplan Framework (2018)
- Minerals (January 2018)
- Infrastructure Plan (March 2018)

Technical Advice Notes

- 6.2 A number of Technical Advice Notes ("TAN") are of relevance to the Application:
- Technical Advice Note (TAN1) – Joint Housing Land Availability Studies
 - Technical Advice Note (TAN2) – Planning and Affordable Housing
 - Technical Advice Note (TAN5) – Nature Conservation and Planning
 - Technical Advice Note (TAN11) - Noise
 - Technical Advice Note (TAN 12) – Design
 - Technical Advice Note (TAN 15) – Development and Flood Risk
 - Technical Advice Note (TAN 16) – Recreation and Open Space
 - Technical Advice Note (TAN 18) - Transport
 - Technical Advice Note 20 (TAN 20) – Planning and the Welsh Language (October 2013) and (January 2016)
 - Technical Advice Note 20 (TAN 23) – Economic Development

➤ Technical Advice Note 20 (TAN24) – The Historic Environment

6.3 In June 2018, the Welsh Government carried out a consultation on the temporary dis-application of Paragraph 6.2 of TAN1.

6.4 TAN1 requires LPAs to maintain a five-year supply of deliverable land for housing, based on meeting the housing requirements set out in LDP. TAN1 sets out the means of calculating housing land supply and enables a rational and consistent methodology to be applied across Wales. The monitoring of housing land supply has highlighted a shortfall in deliverable land with the majority of LPAs unable to demonstrate a five year housing supply.

6.5 This has resulted in the dis-application of Paragraph 6.2 by the Welsh Government. It removes paragraph 6.2 which attached “considerable” weight to the lack of five year housing supply as a material consideration in determining planning applications for housing. This disapplication of this paragraph does not mean that no weight is given to the lack of five year supply, rather it is a matter for the decision maker to determine the weight that is to be attributed to the need to increase housing land supply where an LPA has a shortfall in housing land.

Wales Spatial Plan (Update 2008)

6.6 The Wales Spatial Plan update sets out a 20-year agenda, role, purpose and principles which were established through the Wales Spatial Plan in 2004. It seeks to ensure that what is done in the public, private and third sectors in Wales is integrated and sustainable and sets out national spatial priorities including education, health, housing and the economy.

Wrexham Joint Housing Land Availability Assessment (“JHLAA”) (2017)

6.7 The latest JHLAA is from 2017, and it is confirmed within this document that WCBC is unable to demonstrate a 5 year supply of housing, and in the absence of an up to date Local Development Plan, and in accordance with TAN1 guidance (as updated), WCBC is considered to have a zero land supply. Within this document, WCBC has acknowledged that it will take a pro-active stance to supporting appropriate growth in the Borough, where it meets policy objectives and local needs.

7. PLANNING ASSESSMENT

7.1 This Section assesses the proposed development against the relevant policy considerations contained within the Development Plan and other material considerations of relevance to the Application. The proposed development gives rise to the following key planning issues.

- Principle of development;
- Urban design considerations;
- Landscape and visual impact;
- Biodiversity;
- Highways;
- Welsh Language;
- Residential amenity;
- Environmental considerations; and
- Achieving sustainable development.

Principle of development

7.2 PPW10 is clear that up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making¹⁸. It also confirms that planning applications must be determined in accordance with the adopted plan unless material considerations indicate otherwise¹⁹. At this time, no national development framework²⁰ or strategic development plan covers Wrexham Borough. The Wrexham UDP Plan period ended in 2011. As such, the UDP is considered to be time expired.

7.3 Notwithstanding this, the UDP remains the adopted development plan for decision making purposes unless there are material planning considerations which indicate otherwise.

7.3 WCBC is currently preparing a new LDP. Consultation on the Deposit Plan ended in July 2018 and it was ratified by Members in November 2018 for submission to the Welsh Government for independent Examination. It is therefore considered to be significantly advanced, represents WCBC's chosen strategy for delivering development

¹⁸ PPW10, Paragraph 1.21

¹⁹ PPW10, Paragraph 1.21

²⁰ Latest guidance indicated the draft NDF is being prepared, with consultation on the draft NDF not expected until Summer 2019.

in Wrexham over the next 10 years and due weight should be attributed to this document accordingly.

- 7.4 Within the emerging LDP, the Site is designated as part of Key Strategic Site (KSS2), which is required to deliver much needed market and affordable housing for Wrexham.
- 7.3 It is the Applicants' position that the UDP, and therefore the Development Plan, is out-of-date, and the adopted settlement and Green Barrier boundaries set out within the UDP are derived from out-of-date evidence of housing and employment land needs.
- 7.4 Those boundaries must be amended to provide sufficient land for development in the emerging LDP and WCBC has made clear its desire to amend those boundaries in the advanced stage of the emerging LDP. It is considered that the emerging LDP should be given significant weight as a material consideration in favour of this development.
- 7.5 Please note for clarity that within the UDP, the existing designation is referred to as "Green Barrier" whereas in the emerging LDP it is referred to as "Green Wedge".

Adopted UDP Position

- 7.6 As set out above, whilst the UDP is time expired, it remains the adopted development plan for decision making purposes (unless there are material planning considerations which indicate otherwise). Consequently, we have for completeness considered the proposed development in the context of the UDP, as set out below.
- 7.7 According to the UDP Proposals Map, the Site is located within a designated Green Barrier and is located outwith the defined settlement boundary of Wrexham Town and therefore UDP Policies EC1 and PS1 are applicable, the latter of which seek to direct new development for housing to within the defined settlement limits of centres.
- 7.8 When the original UDP was prepared, it was identified that at this time there where **"significant development pressures to the north of Wrexham and existing green barriers complement the West Cheshire Green Belt in controlling the growth of Chester into the countryside"**²¹.

²¹ UDP Paragraph 2.7

- 7.9 The UDP identifies that Wrexham's Green Barriers possess the same characteristics and purposes of formal Green Belts, with the exception of the long-term permanency, and were created to cope with development pressures which subsequently resulted in no identified requirement at that time for any Green Belt designation. The decision to designate Green Barrier as opposed Green Belt is clear acknowledgment that the designation of this land was to be reviewed through the next iteration of the development plan.
- 7.10 Under Policy EC1, the role of the Green Barrier is to:
- To prevent the coalescence of urban areas and villages with other settlements;
 - To assist in safeguarding the countryside from encroachment;
 - To protect the setting of an urban area and villages; and
 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 7.11 Subsequently, development within the Green Barrier is restricted under UDP Policy EC1 which only permits development if it is for **"agriculture, forestry, essential facilities for outdoor sports and recreation, cemeteries and other uses of land which maintain the openness of the green barrier and do not conflict with the purpose of including land within it"**.
- 7.12 UDP Policy EC1 does not provide for a scenario where "very exceptional circumstances" can justify inappropriate development, i.e. development not described above²², in the Green Wedge. In this respect Policy EC1 is not consistent with PPW. The proposed development does not fall within any of the policy criterion identified and is located outwith the settlement boundary of Wrexham. It is therefore contrary to both Policies EC1 and PS1, meaning that the principle of development is contrary to the UDP.
- 7.13 Consequently, in accordance with national guidance, it is therefore necessary to consider whether there are any material considerations that would support an alternative conclusion²³, as set out below.

²² UDP, Paragraph 7.10

Material Considerations

National Policy

- 7.14 PPW10 confirms that proposals for Green Belt and Green Wedges should be soundly based and only employed where there is a demonstrable need to protect urban form and alternative policy mechanisms would not be sufficiently robust²⁴. It differentiates between Green Belt and Green Wedge and advises that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas, green wedge policies should be reviewed as part of the development plan review process²⁵. It confirms that green wedge boundaries should be proposed and subject to review as part of the LDP process²⁶.
- 7.15 The type of development which is deemed to be acceptable within the Green Wedge is limited and a presumption against inappropriate development, such as large-scale residential development, applies. PPW10 states that inappropriate development should only be granted planning permission in very exceptional circumstances, where other considerations clearly outweigh the harm which such development would have on the Green Wedge²⁷.
- 7.16 WCBC has not amended its Green Barrier designation since it was introduced in the previous UDP, a position which has been confirmed within the Green Wedge Review²⁸.
- 7.17 It states that Green Barrier designations have been rolled forward from past development plans without any formal review. This approach is contrary to the guidance set out in PPW10, which states that this should be reviewed through the development plan review process.
- 7.18 Due to the fact that Policy EC1 does not allow for inappropriate development in very exceptional circumstances, this does not adequately reflect PPW10; and is thus a further factor as to why the Policy (EC1) should be afforded limited weight.
- 7.19 Additionally, when WCBC first submitted its LDP for Examination in 2012, the Inspector, in his preliminary findings, concluded that **"the approach to green**

²⁴ PPW10, Paragraph 3.60

²⁵ PPW, Paragraph 3.60

²⁶ PPW10, Paragraph 3.64

²⁷ PPW10, Paragraph 3.70

²⁸ Paragraph 2.2 - February 2016

wedges does not have adequate regard to national policy” and that the designations were formally assessed in line with national planning policy²⁹.

- 7.20 The Green Barrier designation is, therefore, significantly out of date and this is a position which is accepted by WCBC in the emerging LDP, which identifies the need to release Green Barrier land around Wrexham to support the necessary level of housing growth.
- 7.21 It is accepted that the proposed development does not fall under any of the permissible forms of development in Green Wedges set out in Policy EC1 however, in accordance with PPW10, it is the Applicants’ position that very exceptional circumstances exist in this case that are capable of outweighing any harmful impact from the development; these circumstances are set out further below.

Emerging LDP

- 7.22 The emerging LDP has been submitted to Welsh Government , with Examination most likely to commence in Spring 2019. Adoption of the LDP is therefore feasible before the end of 2019.
- 7.23 The LDP Manual is clear that the Deposit Plan **“should be considered by the LPA as the version it intends to submit for examination and, later, to adopt”**³⁰ and the emerging Plan and its allocations are sound.
- 7.24 The emerging LDP identifies a requirement for 7,750 new homes to be delivered over the Plan period 2013 - 2028 of which provision is made for 8,525³¹ new homes under Policy SP1. It is not possible for this number of new homes to be built on brownfield land or within the existing settlement limits of Wrexham Town, and the other settlements, as evidenced by WCBC’s recognition that further land release is required³². It is therefore essential that greenfield land around Wrexham Town, as the most sustainable settlement in the County Borough, is released for development. To help meet this identified need, a number of key strategic sites, and strategic sites, are intended to be allocated for residential development under Policy SP3. This includes the Applicants’ Site.

²⁹ Extract from Paragraphs 2.1 and 7.1 of the LDP Examination – Inspectors Preliminary Findings (Feb 2012)

³¹ To allow for 10% flexibility under emerging Policy SP1 of the LDP Deposit Plan

³² Section 4 (Bullet Point 4) and Policy SP1 of the LDP Deposit Plan

- 7.25 The Site itself has been promoted by the Applicants throughout the LDP process since 2014. The Site was assessed by WCBC as being suitable and deliverable for development and is required to meet future housing needs, as evidenced within Key Background Paper 3 – Key Strategic Sites³³.
- 7.26 The Paper confirms that the Site has been assessed through WCBC’s site assessment methodology where an assessment of the Site’s location, constraints, accessibility, implementation, policy position, sustainability appraisal and evidence base has been undertaken, and concludes that the Site is appropriate for residential development.
- 7.27 This designation was subsequently carried forward and the Site in its entirety has been deemed to be considered suitable for development and proposed for allocation as one of two Key Strategic Sites for residential development within the LDP. The Applicants’ Site forms the northern part of the KSS2 allocation and extends to 28.52 ha (Policy SP5).
- 7.28 This is a notable change from the Site’s previous allocation as Green Barrier. The Site has been assessed as part of the emerging LDP’s evidence base within the “Strategic Green Wedge Review”. Within the report, it was concluded that the Site, which is located within “Area 2 – Wrexham East” is suitable for development and:

“can be developed without resulting in the coalescence of the two areas. Inclusion of the KSS will change the overall character of the area and the built form will be altered. In light of the proposed KSS allocation, it is recommended that the green wedge designation be amended to create a wedge in order to manage the urban form through controlled expansion in the area and avoid any further coalescence between Wrexham town and Wrexham Industrial Estate”.

- 7.29 The Site has been assessed by WCBC as not fulfilling the Green Wedge designation requirements.
- 7.30 The Applicants agree that the Site itself does not fulfil a Green Wedge function, and a short assessment of the Site against the Green Wedge criteria is set out in Table 3 below:

³³ February 2016

Table 3 - Green Wedge Assessment

Green Wedge Criteria	Response
Prevent the coalescence of large towns and cities with other settlements	The Site is bounded by Cefn Road to the south and west, Wrexham to the west, and the A534 to the north, with open countryside and Wrexham Industrial Estate located to east. The Site is bounded by defensible boundaries, comprising roads and hedgerows which would prevent coalescence. The topography of the Site is predominately flat, with some undulating to the east. The development of the Site will not give rise to any issues of coalescence with neighbouring settlements. An LVIA has been prepared in support of the Application which demonstrates that the impact on views and landscape is acceptable.
Manage urban form through controlled expansion of urban areas	The Site is set along defensible boundaries and is constrained by its position between Wrexham and Wrexham Industrial Estate. The development of the Site can integrate sensitively into the existing urban form through a landscape-led masterplan approach, as demonstrated in this planning application.
Assist in safeguarding the countryside from encroachment	The Site benefits from strong defensible boundaries which restrict further encroachment into the countryside.
Protect the setting of an urban area	The Site is identified as a strategic allocation required to deliver housing and seeks to ensure that development in this location is controlled and restricted through policy.
Assist in urban regeneration by encouraging the recycling of derelict and other urban land	WCBC has not been able to identify sufficient brownfield sites within Wrexham Town and other settlements to meet future housing needs. An element of greenfield release around Wrexham Town is therefore essential to meeting existing and future housing needs.

KSS2 Allocation

- 7.31 Under Policies SP3 and SP5, it is identified that the KSS2 allocation will deliver at least 1,680 new homes, of which 1,580 homes will be delivered within the Plan period. This will include an element of affordable housing and community uses. The Applicants' Site will deliver up to 600 dwellings of the wider KSS2 allocation.
- 7.32 A number of policy requirements are identified within Policy SP5 and an assessment against these policy criteria is provided in Table 4 in relation to the Applicants' Site.

Table 4 – KSS2 Assessment Table

SP5 Requirement	Policy	Response
Highways improvements to address known infrastructure capacity constraints at the Greyhound roundabout		A Transport Assessment (TA) has been prepared in support of this Application and has been based on extensive engagement with WCBC highways department and its consultants. The TA confirms there is existing capacity within the highway network to accommodate the proposed development. Work is ongoing, in the form of VISSIM modelling, by WCBC's consultants, ITP, in order to understand at what stage in the development of KSS2 any improvements to the Greyhound roundabout junction will required, if indeed it is required at all. The results of this work will ultimately dictate what off-site highway works are required in order to satisfactorily accommodate the proposed development on the highway network.
Ensuring connectivity between the land north and south of Bryn Estyn Road		The illustrative masterplan demonstrates that an access link could be provided from the Applicants' Site in the north to the land parcel to the south. The potential also exists for further pedestrian and cycle links between the northern and southern elements of KSS2.
Education – on site provision of a 420 place primary school, contributions towards secondary provision in		We are aware that WCBC is currently assessing potential options in relation to the proposed location of a new primary school, but to date, a location has not been confirmed. The Applicants are agreeable in principle to developer contributions in relation to education provision

the vicinity of the site and the retention of existing playing fields at Ysgol Morgan Llwyd	providing that it meets the tests set out in Circular 13/97 in accordance with Policy SP6. The Applicants continue to engage in dialogue with WCBC in relation to this matter.
Public open space	Based on the indicative details provided within the accompanying Illustrative Masterplan, the scheme will deliver circa 5.7 ha of open space provision, including play facilities. Further details of the intended approach to the provision of public open space within development can be found in the accompanying Design and Access Statement.
Community and leisure facilities, including the retention of the Erlas Victorian Walled Garden	This applies to the wider allocation, with open space provision provided on our Illustrative Masterplan. This Application does not affect the Erlas Victoria Walled Garden and the indicative route of the spine road link to land to the south avoids any conflict with the Walled Garden. Leisure facilities in the form of playing fields will be provided elsewhere within KSS2.
Active Travel	The Applicants are supportive of improving facilities which aid pedestrian and cycling routes and links within the Site. It is identified that the Site is accessible to both retail, commercial, education and employment opportunities, and within walking distance of local shops and education provision. This will be elaborated in a robust Travel Plan for the Site, that will be developed in liaison with WCBC.
Public Transport	The closest bus stop is located on St Mellion Crescent and is served by Bus No. 35, which operates a circular service between the town centre and residential areas to the east of Wrexham. There is potential for this existing service to be diverted to serve the Site. The Site is also located circa. 3.5km from the train station, which provides connections to Cardiff, Holyhead and Birmingham, and Chester.

- 7.33 It is therefore the Applicants' consideration that the proposed development is compliant with KSS2 Policy SP5 of the emerging LDP. The Site is available, deliverable and suitable for residential development and both the submission and positive determination of this Application will demonstrate a commitment by both WCBC and the Applicants to bring forward this important component of Wrexham's future housing land supply.
- 7.34 Subject to planning approval, it is anticipated that development could commence in 2020, with first completions by 2021 at a rate of 50 dpa per housebuilder per annum, delivering much needed new homes for Wrexham within the Plan period.
- 7.35 The scheme is therefore compliant with emerging Policies SP1, SP2, SP3, SP5 and H1.
- 7.36 The emerging LDP has been ratified by Members and the Site has been included as an emerging housing allocation in the Deposit LDP, which has now been submitted to Welsh Government for Examination. The Site allocation therefore represents part of a Plan that WCBC intends to adopt and considers to be sound. This is a material consideration of significant weight. Allied to this, WCBC is failing to meet its needs for both market and affordable housing by a significant margin and cannot demonstrate a 5-year housing land supply. This is the result of there being insufficient unconstrained land available within the adopted development plan to meet these housing needs. It is the Applicants' contention that these factors alone represent the necessary very exceptional circumstances required under PPW10 to justify the granting of planning permission.
- 7.37 The shortage of housing being delivered in Wrexham and the compliance of the proposed development with the advanced emerging LDP, means that there can be no justification for the refusal of planning permission on grounds of prematurity. The Site is not of such a scale that it would pre-determine key strategic decisions.
- 7.38 In addition to the above, there are a number of factors which further compound the fact that very exceptional circumstances apply in this case.

Summary of the Case for Very Exceptional Circumstances

- 7.39 Whilst the adopted UDP does not provide any policy guidance in relation to very exceptional circumstances, PPW10³⁴ outlines guidance as to when very exceptional circumstances apply i.e. **"where other considerations clearly outweigh the harm which such development would do the Green Belt or Green Wedge"**³⁵.
- 7.40 We set out below is a summary of the factors that we consider contribute towards the case for very exceptional circumstances:
- The adopted UDP, its settlement boundaries and Green Barrier boundaries, are significantly out of date, with the Plan period ending in 2011 and a review is necessary to deliver current and future housing needs. The existing UDP green barrier designation is one of restraint and is based on out-of-date settlement and green barrier boundaries, which responded to entirely different Borough-wide development needs at that time.
 - It is also acknowledged and accepted by WCBC within the most recent JHLAS that WCBC cannot demonstrate a 5-year housing land supply because it does not have a sufficient land available, nor is the UDP up to date (as evidenced in Section 6).
 - Whilst Paragraph 6.2 of TAN1 has been dis-applied, it is for the decision maker to identify what "weight" should be given to the lack of 5-year housing land supply.
 - PPW advises that Green Wedges should be subject to review through the Local Plan process, and that when considering Green Wedges ***"LPAs will need to ensure that a sufficient range of development land is available which is suitability located in relation to the existing urban edge and the proposed green wedge"***³⁶. Within the emerging LDP, it is proposed that the boundary of the green wedge be amended in this location and the Site allocated as part of KSS2.
 - The Site is required to meet the WCBC's market and affordable housing needs and is a fundamental component of the emerging LDP's housing strategy. Ultimately there are only 10 years remaining of the emerging LDP; therefore, it is imperative that KSS2 starts to deliver housing as soon as practically possible otherwise the aims and objectives of the LDP will not be achieved.

³⁴ PPW10, Paragraph 3.70

- Based on the Illustrative Masterplan, the Site will provide over circa 5.7 ha of high-quality open space provision, in an attractive setting on the edge of Wrexham.
- The scheme will deliver the following wider economic benefits³⁷:
 - Create 173 direct construction jobs, and up to 154 indirect construction jobs;
 - Construction GVA will be £95.9m;
 - Resident GVA per annum will be £32.2 million;
 - £10m residential expenditure per annum; and
 - £0.9m annually in Council Tax.
- The development of the Site will result in net gains in biodiversity, and improvements to the local landscape, including tree and hedgerow planting.
- The Site is in a highly accessible location in terms of access to public transport, the strategic road network and services and job opportunities.

7.41 Cumulatively, the above circumstances, material considerations and benefits of the proposed development amount to compelling very exceptional circumstances that outweigh the minimal harm of the proposed development.

7.42 We now go on to consider other matters relevant to the determination of the Application. For completeness, we have also assessed the proposals against relevant UDP and emerging LDP Policies and other relevant guidance.

Urban design considerations

7.43 Detailed consideration has been given to the need for the layout and design of any future reserved matters applications for the Site to achieve a high standard of design and to ensure that it is in keeping with the existing character and appearance of Wrexham, whilst making the most efficient use of the Site. This is discussed further in the accompanying Design and Access Statement ("DAS").

7.44 The Illustrative Masterplan Site confirms that the Site is capable of accommodating up to 600 homes, at an average density of circa 35 – 40 dph. The maximum building heights for the purpose of this submission are 2.5 storeys.

7.45 On this basis, and noting that detailed matters of design will be assessed at reserved matters stage, it is considered that this outline planning application, supported by the Illustrative Masterplan and Parameters Plan and DAS provide a strong basis for a high

³⁷ Appendix 2 – Economic Benefits Summary

quality development in design terms and achieves WCBC's aspirations for the Site. As part of the Applicants' extensive pre-application engagement, no objection to the proposed density of between 35 – 40 dph was raised by WCBC.

- 7.46 A Masterplanning Framework SPG for the key strategic sites has been prepared by WCBC alongside the emerging LDP. The draft SPG outlines a number of high level masterplanning principles to ensure that sites are well-planned, connected and sustainable. The accompanying Illustrative Masterplan and Parameters Plans align with guiding principles of the draft SPG, which is reflective of the fact that the submitted masterplan is the outcome of collaborative working with WCBC.
- 7.47 Consideration has been given to the proposed design and layout of the scheme, to ensure it does not impact negatively on the existing amenity of the locality or surrounding area or impact on the historic, archaeological, ecological, geological or landscape value of the surrounding area. This is demonstrated throughout this Statement and within the accompanying plans and reports, which collectively demonstrate compliance with PPW10 (Chapter 3); TAN12 and TAN16; the draft SPG Masterplanning Framework; adopted Policy CLF5; emerging Policies DM1, SP13, SP14 and CF2; and SPGs Public Open Space and New Housing Development; Landscape and Guide for Developers; Designing out Crime; Parking Standards; Sustainable Development; and a Guide for Developers and architects when designing residential development.

Landscape and Visual Impact

- 7.48 A Landscape and Visual Impact Assessment ("LVIA") has been prepared as part of the Application submission. It concludes that the effects on landscape features or landscape character will not be significant, with a beneficial effect on landscape features through the introduction of formal open space, trees and mitigation planting along the Site boundaries. Any potential effects would be confined solely to the Site itself and the immediate local area. Upon maturity of the proposed green infrastructure, the magnitude of effect on the landscape character is assessed as negligible, resulting in "negligible, local, long-term permanent effects".
- 7.49 In terms of visual effects these will be limited to the views from the roads directly bordering the Site. There will be transitory views on the Site from short sections of the A534 and A5156 and the roundabout linking these routes. Visual effects for motorists will be moderate to minor adverse upon completion due to the medium-low

sensitivity and low magnitude of effect of the Site, and upon maturity, would be minor adverse, long term and permanent. There are no PROW or local footpaths through the Site, and any impact or effects on views from PROW surround the Site would be largely negligible with some minor adverse effects on PROW BIE/2.

- 7.50 Whilst it is accepted that the development of the Site will result in a change to the character, this is largely based on the perception of the settlement at this time, and the proposed development would be perceived as a continuation of the built form.
- 7.51 Overall the landscape and visual impacts are considered to be predominately localised with no greater than minor adverse impact. As such, the proposed development, would not result in any significant adverse landscape and visual effects.
- 7.52 The proposed development is therefore considered to be compliant with emerging Policies DM1 and SP13 and SPG Landscape and design.

Biodiversity

- 7.53 The Application is accompanied by an Ecological Assessment, which concludes that, subject to mitigation measures and a proposed enhancement strategy, the proposed development is acceptable.
- 7.54 The Site is not covered by, or adjacent to any areas which are subject to a statutory designation, however, there are four European designated sites located within 10km of the Site, one of which is a nationally designated site (RAMSAR, SSSI and SAC).
- 7.55 No Great Crested Newts ("GCN") have been found on-site, however, potential terrestrial habitat for GCN is present on site. Six ponds were surveyed in Spring 2018, however, no GCN or eggs were recorded. One off-site pond was found to have six GCN present.
- 7.56 Bats and other protected species have also been found on-site, which has subsequently resulted in the recommendation that a mitigation and enhancement strategy should be secured to any future planning approval. This would involve a suitable design to avoid the impact of any identified ecological resources; an appropriate landscaping design to provide mitigation and compensation for any loss of habitats and enhancement of retained features; a construction ecological management plan; landscape and ecology management plan; additional bat surveys; and a mitigation strategy for GCN.

- 7.57 This would ensure the delivery of net gains which would include the retention and enhancement of existing hedgerows across the Site; retention and enhancement of the existing on-site ponds and provision of new SUDS pond; creation of hibernacula and refuge areas for GCN; and area of public open space in the north eastern corner of the Site.
- 7.58 The scheme has also been assessed under the Habitat Regulations, and it has been concluded that the scheme complies with the "Three Tests" set out within the statutory regulations. Sufficient information has been provided within the accompanying Ecology Report to demonstrate that the development is acceptable. In addition, in relation to the other two tests, there is no satisfactory alternative location for the development, and this is a position which has been confirmed by WCBC. Additionally, the reasons for allocating the Site, override any significant public interest on the basis that it is essential that the Site is delivered because it will provide much needed market and affordable housing provision on a deliverable key strategic site.
- 7.59 No objection was received from NRW as part of the pre-application consultation, subject to the inclusion of a condition relating to long term mitigation and conservation measures; long term surveillance of bat and GCN populations and the submission and implementation of an approved ECA.

It is considered that subject to the implementation of this strategy and those requirements identified above, and because the proposed development has been sensitively designed, this will ensure that the scheme does not impact negatively on the biodiversity of the area. It demonstrates compliance with adopted Policies EC4 and EC6 and emerging Policies NE1, NE2, SP15 and DM1; TAN5 and Chapter 6 of PPW10.

Arboricultural

- 7.60 A Tree Survey has been prepared in support of the Application and concludes that the existing tree cover will be retained where possible and accommodated within the proposed areas of public open space. Any long-term tree loss is predicated to be minor due to the establishment of development parameters that have responded to existing Site constraints. Where trees or hedgerows are to be lost, replacement planting is proposed which will be strengthened with new planting to provide suitable and appropriate compensation, subject to condition and is compliant with adopted Policy EC4; emerging Policy NE3 and SPD Trees and Development.

Heritage

- 7.61 The Application is accompanied by a Heritage Statement, which concludes that there are no archaeological or built heritage constraints to development.
- 7.62 The Heritage Statement concludes there are no designated archaeological assets on the Site, however, it identifies that there is a non-designated asset located at the north west boundary – a military aircraft crash site. As part of this Application, a geophysical survey has been prepared to assess whether there is any archaeological interest associated with the crash site. The survey concluded that there are no anomalies of definite archaeological origin and there is no evidence of any remains from the crash site.
- 7.63 In addition to the above, within the surrounding 1km area there are a number of grade II listed buildings, however, these are all screened from the Study Site by intervening topography, vegetation and buildings and there will consequently be no impact on any designated assets or their setting and significance.
- 7.64 These findings are consistent with the response received from CADW as part of the pre-application consultation engagement, which concluded the following:
- No designated heritage assets (other than listed buildings) within a 1km catchment;
 - None of the identified SAM within the buffer zone are likely to be visible due to buildings, vegetation and distance; and
 - Unlikely to have any effect on the setting of the SAM.
- 7.65 It is therefore considered that the proposal is compliant with adopted Policies GDP1 and EC11; emerging Policy SP16; TAN24 and Chapter 6 of PPW10 and will not impact negatively on the existing heritage assets and will conserve, protect and enhance the historic environment.

Highways

- 7.66 A Transport Assessment ("TA"), prepared by CBO, accompanied the planning application. A new primary access from the A534 roundabout is proposed in detailed form. The proposed access arrangement has been selected to allow for sufficient visibility for cars accessing and egressing the Site and will have the least impact on the existing highway network. The accompanying Illustrative Masterplan identifies an

access to land to the south (at the southernmost part of the Site) alongside a separate potential secondary link on land to the south, and two additional potential secondary links to Thornhurst Drive and land to the west.

7.67 As evidenced in Section 2 of this Statement and the accompanying TA, the Site is located in a sustainable and accessible location to both Wrexham Town Centre and employment opportunities.

7.68 The TA concludes the following:

- The Site is in a sustainable location;
- Principal access is proposed from the roundabout at Holt Road, and the design and location of this junction has been agreed within Wrexham Highways Officers;
- A link road is proposed from the Site to the wider KSS2 allocation to the south;
- There is identified capacity within the road network, and there are no issues in terms of highway safety on the road network;
- Highway capacity assessments have been undertaken at key junctions and deemed to be acceptable;
- The trip rates used for the VISSIM modelling have been used and over-estimate the trip generation by assuming 25% affordable housing provision – the starting point of the emerging LDP, in this part of Wrexham is 40%, therefore any increase in affordable housing provision above 25% will reduce the assumed trip rates generated by the development;
- TEMPRO growth rates have been used and the methodology agreed with Officers;
- There may be a need pending the outcome of the VISSIM modelling to undertake improvements to the A5156/A534/Site access roundabout, however, it is not anticipated to represent a severe impact because the levels and traffic conditions currently identified are typical given the proximity to the industrial estate;
- There is scope for some improvements to the Greyhound roundabout junction, but the need for and scope of any improvements will be determined by the VISSIM modelling;
- There is notable spare capacity to accommodate the wider development to the south; and

- Ongoing work in relation to VISSIM modelling is taking place and will be submitted to WCBC during the application process.

7.69 It is therefore considered that whilst the proposed development will result in an increase in vehicle movements, as is expected, it is not considered to be significant and detrimental to the highway network when having regard to the mitigation that the development can provide. The proposed development is therefore compliant with emerging LDP Policies SP5, SP12, SP13, DM1, T1, T2 and T3 regarding accessibility and highway safety. The scheme is also compliant with TAN18 and PPW10 Chapter 4.

Environmental Considerations

7.70 There are a number of environmental considerations that have been considered as part of the Application, as set out below.

- **Flood Risk**

The Site is located in Flood Zone A and is deemed to be located in an area with the lowest risk of flooding. A Justification Test is not required. Notwithstanding this, due to the scale of the Site, a Flood Consequence Report has been submitted as part of the Application. It concludes that the scheme will not result in an increase in flooding from external sources or from within the development and will not increase the flood risk to the surrounding area. The proposal is therefore considered to be compliant with adopted Policies EC12, EC13 and EC14 and emerging Policies SP15 and NE6, TAN15 and Chapter 6 of PPW10.

- **Air Quality**

An Air Quality Assessment ("AQA") has been undertaken in support of the Application and concludes that the Site is not located within an Air Quality Management Area ("AQMA"). A road traffic emissions assessment was undertaken as part of the assessment to examine the impact of vehicle exhaust emissions associated with the development. It was concluded that this was significantly below the air quality limit and is deemed to be acceptable, with the air quality impact predicated to be negligible and is compliant with Policy DM1 and Chapter 6 of PPW10.

- **Minerals**

A Prior Extraction Assessment has been undertaken in support of the Application, in conjunction with site investigation works. It is supported by sand and gravel

samples from 7 separate locations throughout the Site which were taken at depths up to 4m. These samples have been subject to particle analysis, and it was concluded that the superficial deposit mapped as sand and gravel is in fact very fine sand, which has no commercial use in its natural stage.

Whilst it is the Mineral Planning Authority's initial view that this material could be blended with coarser materials which could in turn make a fine aggregate component for concrete, the costs associated with this are not expected to be viable and more expensive than operations at a conventional sand and gravel pit.

As such, the analysis supports the report's conclusion that the mineral resource on-site is predominately sand, with very limited gravel and there are no exploitable reserves which exist on site and it is not suitable for commercial use.

It is the Applicants position that if a "mineral resource" was excavated, then it would create an unusable void with no means of infilling, because there is not sufficient site -derived material to fill this to an acceptable level, nor is prior extraction commercially practical. This would need to be done by a third party; is based on a small market (due to the fact that the Site is home to fine sand deposits as opposed to workable sand and gravel); there is a quarry which already serves the local market, there is limited demand; and would result in uncertainty on timescales for starting on-site, because this would be dependent on local demand and delays to a deliverable, viable and much needed Site..

On this basis, whilst consideration has been given to adopted Policy MW9 and emerging Policies SP17 and MW1, and PPW10 Chapter 5, it is considered by the Applicants that prior extraction on the Site is not viable, and a failure to reach any position other than this would potentially have serious implications on the delivery of the entire KSS2 allocation.

- **Open Space Provision**

The Illustrative Masterplan indicates that the proposed development could incorporate approximately 7.7 ha of green infrastructure, including public open space, play area, landscaping verges and planting buffers and is compliant with both adopted Policies CLF5 and CLF7; LPGN10 and emerging Policies CF2 and SP20, TAN16 and PPW10 Chapter 6.

- **Noise**

A Noise Assessment has been prepared in support of the Application to provide an assessment of the predicted impact of environmental noise sources on the proposed development. It has been assessed and found to be acceptable, with the majority of the Site being located within the TAN11 Noise Exposure Categories limits, with a small proportion located outwith which can be addressed through mitigation. The Site has been assessed in terms of both noise generated from traffic and sports facilities (due to the sports provision to the south i.e. the rugby club), and has been found in all cases to be acceptable. The proposed impact from noise on the development is therefore deemed to be negligible and the scheme is compliant with emerging Policies DM1, SP13 and SP14, TAN11 and PPW10 Chapter 6.

- **Ground conditions**

A Phase 2 geo-investigation report has been submitted in support of the Application and confirms that the Site has not been subject to any previous activity which could result in land contamination or constraints for development. The Site is currently assessed as being of low risk and is compliant with Chapter 6 of PPW10.

- **Agricultural Land Quality**

An Agricultural Land Quality classification (ALC) report has been prepared as part of the application following comments received from the Welsh Government Agricultural Land Division ("ALQ Division"), whom the Applicants engaged with as part of the pre-application consultation process.

Within the response, ALQ Division objected to the proposed development on the basis that the scheme was inconsistent with PPW9 (at the time); a detailed ALC survey was to be undertaken for the un-surveyed part of the Site; a sequential test was to be undertaken; and the ALQ Division were to be consulted on future applications.

The accompanying report provides details of the ALC survey undertaken on the previously "un-surveyed" part of the Site. It is also a recognised position by WCBW that most of the Borough's land outwith settlement boundaries and includes Best and Most Versatile (BMV) Land.

Justification has been provided by WCBC in its assessment of the suitability of the emerging LDP's selected Key Strategic Sites, and the Sustainability Appraisal, with regard to why the loss of this Site and BMV Land is essential to meeting future housing needs. No sequential test is required to be undertaken because this has been completed as part of the LDP process.

- **Energy efficiency**

The proposed dwellings will incorporate high quality materials and design specification to reduce energy demand and carbon emissions. Whilst these will be addressed as part of any future reserved matters applications, it is considered that any future application will include the following mitigation measures –

- Energy efficiency;
- Water conservation;
- Sourcing of construction materials;
- Site orientation;
- Promoting sustainable means of transport;
- Sustainable waste management solutions; and
- The feasibility of integrating renewable energy solutions into the development.

A high-level sustainability assessment has been prepared as part of the application which assesses the viability of the different options available and it is concluded that the scheme is compliant with emerging Policies SP19 Part 4, RE1 and DM1 Part H and Chapter 5 of PPW10.

Residential amenity

- 7.71 The proposed development will give rise to a change in the local area and has the potential to impact on the residential amenity of the surrounding area.
- 7.72 An Air Quality Assessment (AQA) and Noise Assessment have been prepared in support of the Application. The AQA concludes that the Site is not located within an Air Quality Management Area and impact on air quality is predicated to be negligible and compliant with Policy DM1 and emerging Policy SP13.
- 7.73 The Noise Assessment has assessed the predicted impact on environmental noise, and found to be acceptable, and the proposed impact from noise on the development is

therefore deemed to be negligible and the scheme is compliant with Policy DM1 and Chapter 6 of PPW10.

- 7.74 Due regard will be had to residential amenity as part of the detailed design at reserved matters stage.

Welsh Language

- 7.75 A Welsh Language Impact Statement has been prepared in support of the Application. The Site is not located within a Welsh Language sensitive location, and whilst a WLS has been submitted, this is not necessary on the basis that TAN20 advises that on positively allocated sites, which have been assessed during the preparation of the LDP, an assessment is not required. Notwithstanding this, there is an opportunity for the development to have an overall positive impact on community characteristics for Welsh speakers due to its sustainable location, range of housing to meet local needs and structure balance and affordable housing provision to ensure compliance with TAN20 and emerging Policy WL1; SPD Welsh Language and Welsh Communities; and Chapter 3 of PPW10. Mitigation measures also include:

- Bi-lingual street names and signage;
- Local advertisement/marketing of properties;
- Preparation of a Construction Management Plan; and
- Detailed lighting.

Achieving Sustainable development

- 7.76 The fundamental purpose of the planning system is to contribute to the achievement of sustainable development as confirmed throughout PPW10.
- 7.77 The proposed development will deliver the following economic, social and environmental benefits:

Economic

- GVA added by residents of the proposed development of £32.3m;
- Increased commercial expenditure of £10m;
- 173 direct construction jobs;
- 154 indirect jobs through the local supply chain via the purchase of goods and services;
- Annual Council Tax contributions of £0.9m;

- Providing housing to meet the needs of a growing population; and
- Provision of commuted sums were proven necessary to address any infrastructure requirements, including education.

Social

- Market and affordable housing provision;
- Creation of high quality public open space;
- Help to balance housing stock; and
- Provision of commuted sums where proven necessary to address any infrastructure requirements, including education.

Environmental

- Net gains in biodiversity;
- High quality landscape and public open space; and
- Accessibility to public transport and a Travel Plan.

Planning Balance

- 7.78 The Site is currently designated as Green Barrier within the adopted UDP. The UDP policy does not permit new, large scale residential development in the Green Barrier. The proposed development is therefore contrary to the Development Plan, meaning that planning permission should not be granted unless material considerations indicate otherwise. The conflict with the development plan must carry weight, but this weight is considered to be minimal for a number of reasons, but primarily as a result of the fact that the UDP is out of date and time expired, and that the evidence to support its land use policies has long since lost relevance.
- 7.79 The proposed development will result in the loss of greenfield land outwith the settlement boundary. This will result in the loss of ecological habitat, albeit habitat that is of minor ecological value. Development of this greenfield site will have landscape and visual impact, but the impact is considered to be minor or at worse moderate. The proposed development will help to facilitate an increase in the number of households in Wrexham with the resultant increase in the demand for public services, such as Council services and education; however, contributions will be sought from the development towards education, and there will be a corresponding increase in Council tax receipts for WCBC.

- 7.80 The conflict with the Development Plan and the minor harmful impacts identified above need to be weighed against other material considerations and any benefits of the proposed development, having regard to PPW and the very exceptional circumstances that are required to justify inappropriate development in Green Wedges.
- 7.81 As highlighted above, the weight to be given to the conflict with the Development Plan must diminish on account of the fact the UDP and its evidence base is out of date. Given the rise of new pressures to deliver the homes needed to sustain Wrexham over the next Plan period, the loss of the Site from the Green Barrier is clearly considered to be essential by WCBC to help ensure that both current and future housing needs are met.
- 7.82 WCBC has made the decision to allocate the Site for residential development. Given the advanced stage of progress of the emerging LDP, there is no argument against the development on grounds of prematurity, a position which is confirmed within the LDP Manual.
- 7.83 The proposed development will result in a range of benefits and material considerations, which in addition to the above factors, means that the planning balance falls heavily in favour of granting planning permission and that very exceptional circumstances apply. These include:
- The release of the Site will help to meet WCBC's future housing requirements.
 - The illustrative masterplan confirms the Site can be sensitively designed.
 - The Site is capable of accommodating up to 600 dwellings, in accordance with WCBC requirements.
 - The development will provide much needed affordable homes.
 - The development will not result in a significant harm to the character and appearance of the locality.
 - The landscape and visual impacts are predominately localised.
 - The proposed development provides the opportunity for net gains in biodiversity.
 - The proposed development will seek to retain existing trees and hedgerows where possible.

- The proposed development is acceptable in highways terms and will not result in a severe impact in terms of traffic generation or highway safety and is compliant with the requirements set out in PPW10.
- The Site is accessibility located allowing access to shops and services by non-car modes.
- The proposed development will result in significant economic benefits for Wrexham and the wider Borough and will help achieve the aim of supporting economic growth.
- The scheme will not give rise to harm in relation to matters of air quality or noise.
- The Site is located in Flood Zone A, and therefore does not give rise to concerns over flooding from river or sea, and surface water can be drained from the Site using sustainable methods.

7.70 In weighing the minimal harm from the development, in the context of its conflict with out of date planning policy and the loss of a greenfield Site, against the extensive range of potential benefits that sit alongside the clear intention of WCBC to allocate the Site for housing in the new LDP at the earliest opportunity, it is clear that the significant benefits of the scheme outweigh any adverse impacts, and the scheme demonstrates the necessary very exceptional circumstances to justify a departure from out-dated development plan policy. On this basis, planning permission should be granted.

8. CONCLUSIONS

- 8.1 This Planning Statement is submitted in support of an application for outline planning permission for the construction of up to 600 dwellings, with associated landscaping, public open space, and on-site infrastructure, with all matters reserved except for access.
- 8.2 The Site is currently designated as Green Barrier within the adopted UDP, however, this Green Barrier boundary is derived from the UDP which was adopted in 2005 and has remained unchanged from previous UDPs. It is the Applicants' position that the UDP is out of date.
- 8.3 The Site forms part of a strategic allocation (KSS2) within the emerging LDP. The wider Site has been identified as capable of delivering 1,580 dwellings within the Plan period (1,680 in total). The Applicants' Site will deliver up to 600 dwellings and is located on the northern parcel of the strategic allocation. It is the Applicants' position that the Site is deliverable, suitable and available for development, and should continue to be included and approved as a viable and deliverable Site for residential development within the emerging LDP. This is demonstrated through this Application.
- 8.4 As part of the process of bringing forward this Site for development, the Applicants have engaged in extensive pre-application engagement within WCBC, in advance of the submission of the application, over a number of years, both through the LDP and development management process. They wish to deliver housing on this Site at the earliest possible opportunity.
- 8.5 The Application is accompanied by a range of supporting technical documents including a Design and Access Statement, Transport Assessment, Flood Consequence Report, Landscape and Visual Impact Assessment, Illustrative Masterplan and Parameters Plan.
- 8.6 These reports and plans demonstrate that the scheme is acceptable when thoroughly assessed and whilst the Site's development for housing represents a departure from the adopted Development Plan, its proposed allocation for residential development within the emerging LDP, together with the lack of five year housing supply, the material considerations identified within the submission, and the benefits of the proposed development demonstrate very exceptional circumstances, and outweigh

any conflict with out-of-date planning policy. In applying the required planning balance, the benefits of the proposal significantly outweigh any conflict with adopted policy and planning permission should be granted.

APPENDIX 1

EIA Screening Response

MR VINCENT RYAN
BARTON WILLMORE

By email:
Vincent.Ryan@bartonwillmore.co.uk

Your Ref/Eich Cyf
Our Ref/Ein Cyf
Date/Dyddiad
Ask for/Gofynner am
Direct Dial/Rhif Union
E-mail/E-bost

ENQ/2017 /0231
18/01/2018
Matthew Phillips
01978 298780
matthew.phillips@wrexham.gov.uk

Dear Sir,

Town and Country Planning Act 1990

**SCREENING OPINION REQUEST FOR UP TO 600 DWELLINGS
LAND AT HOLT ROAD LLAN Y PWLL, WREXHAM, .**

**SCREENING OPINION REQUEST FOR UP TO 600 DWELLINGS
LAND AT HOLT ROAD LLAN Y PWLL, WREXHAM**

I refer to your request for a Screening Opinion under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

Having considered the details submitted I can confirm that the development **will not** need to be subject to an Environmental Impact Assessment. A copy of the screening opinion is enclosed with this letter.

Yours faithfully,



Pennaeth yr Amgylchedd a Chynllunio/Head of Environment and Planning

APPENDIX 2

Economic Benefits Summary

FAMILY HOMES

600

OF WHICH
25%
ARE AFFORDABLE

CONSTRUCTION JOBS

DIRECT:
173

INDIRECT:
154

CONSTRUCTION GVA

£95.9M

RESIDENT GVA PER ANNUM

£32.2
MILLION

RESIDENT EXPENDITURE PER ANNUM

£10
MILLION

ANNUAL COUNCIL TAX

£0.9M