

Relevant History**Local Connection**

- Joint applicant Mr Forrester has a strong local connection – he married his late Wife in 1977 who was born and lived in Horseman's Green all her life up until then.
- Ten years later in 1987 they returned to Horseman's Green with their 4 children.
- The site and adjoining land has been in Mr Forrester's ownership since 1987, for over 30 years now.
- Mr Forrester retires March of next year when he will be 65 years of age.

Relevant Planning History

- Stable Block and Feed Store. Planning permission granted 20.04.2007. Construction now complete.
- Outline planning application for 2 detached houses which was refused on appeal 01.09.2014.
- Current planning application for an affordable 2 bedroom bungalow.

Reasons for Submitting Planning Applications

Planning application for two detached houses:

- The applicant was convinced that smaller rural settlements such as Horseman's Green had been neglected over many years and that no new development, affordable or otherwise, had been allowed during this time. With no Local Development Plan and an acute shortage of housing and building land he was persuaded to apply for planning permission for 2 modest sized houses which would be within the price range of a lot more people than is currently the case with many of the properties in the village.
- It was hoped that these properties would be occupied by younger people from the local community wishing to remain in the area.
- A substantial contribution for local community projects was also offered, in particular for the Horseman's Green Community Hall towards purchase and renovation costs.

Planning application for retirement bungalow:

- With planning permission refused for the above proposal for 2 detached houses the applicants accept the reasons given for refusal and have taken full account of those reasons in the revised scheme for a single-story bungalow for their own occupation on retirement.
- The revised proposal is for a modest sized affordable dwelling which will be subject to a legal agreement, and consequently will be of long-term benefit to the local community, a lasting legacy which the applicants are more than happy to provide.

Reasons for Appeal

The main issue is whether the development would have a detrimental impact upon the character and appearance of the area and that the proposal does not accord with any of the limited circumstances that permit small scale residential development on sites outside of settlement limits.

Report of the Head of Environment and Planning

- The reason for refusal is based entirely on the Wrexham Unitary Development Plan 1996 – 2011 which is now significantly out of date. The application document ‘Design and Access’ sets out the relevant up to date national planning policy relating to the proposals for this affordable single storey dwelling.
- The policies outlined in the application refer to Planning Policy Wales (Edition 9, November 2016) and support the application. The report to the Council Planning Committee omits all of these supporting policies and as a result the report cannot be regarded as fair and unbiased. Effectively the Planning Committee was denied the full facts.
- Similarly, there is a lack of detail in relation to the previous application and little detail of how this revised application has addressed concerns leading to refusal of the first application. This particular point was raised at the Planning Committee Meeting where a Member expressed his opinion that not enough detail was provided in order to make a judgement on this aspect of the application.
- In summary, the Report of the Head of Environment and Planning did not provide the full facts in terms of current policy in relation to affordable rural homes as set out in Planning Policy Wales and failed to sufficiently provide details of how this application addresses the concerns of the previous application.

Relevant Policy

- The Wrexham UDP 1996 – 2011 is now significantly outdated and the delayed Local Development Plan 2 cannot be described in reality as ‘emerging’, consequently PPW 2.14.4 is applicable –
It is for the decision-maker, in the first instance, to determine through monitoring and review of the development plan whether policies in an adopted LDP are outdated for the purposes of determining a planning application. Where this is the case, local planning authorities should give the plan decreasing weight in favour of other material considerations such as national planning policy, including the presumption in favour of sustainable development (see section 4.2).
- The application site is situated adjacent to a triangular paddock being part of a residential property which is in turn adjacent to the residential curtilage of Boundary House being entirely within the settlement area of Horseman’s Green. The statement made on page 53 of the Report of the Head of Environment and Planning – ‘the site is not adjoining the settlement limit being separated from the edge of the village by the side garden area of Boundary House’ is incorrect, the side garden area includes a private sewage treatment plant and the driveway to Boundary House stable block all of which falls within the settlement area of the village.
PPW 4.7.8 is applicable and the application site represents a minor extension to the existing settlement and acceptable where it meets a local need for affordable housing.

The triangular paddock narrows to a small gateway at the roadside, this land is insignificant in area and consequently does not disallow the principle of the proposed site being an acceptable minor extension of the existing settlement.

- The application is further supported by PPW 9.2.23 – *The special provision of **affordable housing exception sites** must be considered to help ensure the viability of the local community. To support policies, local planning authorities should refer to their up-to-date local housing market assessment or local survey. Policies should make clear that the release of small housing sites within or adjoining existing settlements for the provision of affordable housing to meet local needs which would not otherwise be allocated in the development plan, is an exception to the policies for general housing provision. Such policies must be fully justified, setting out the type of need and the kind of development which fall within their terms. The affordable housing provided on exception sites should meet the needs of local people in perpetuity. Sites must meet all the other criteria against which a housing development would be judged. Affordable housing exception sites are not appropriate for market housing.*

Wrexham County borough's 'Local Housing Needs Assessment' and more recent updates clearly show a need for the type of housing proposed, outlining the lack of 1-2 bedroom bungalows in the South-East area of the County Borough. This report provides an identified local need which unfortunately appears not to have been recognised when assessing the merits of this application.

The population decline in the Parish of Hanmer, which includes Horseman's Green, is explained in section 6.6 of the Design and Access Statement and portrays a worrying statistic of a population decrease when comparing the census of 2001 with the 2011. The reason for this decline in population is, to a large extent, due to the lack of any new housing in recent years in both Hanmer and Horseman's Green which is, and will further, have a significant effect on the sustainability of the locality. Major housing development would be unacceptable in this area but a moderate amount, especially affordable housing, would most definitely be beneficial in aiding community sustainability. It should also be pointed out that Hanmer village is a conservation area and consequently there is limited opportunity for new development there.

- It is acknowledged by the Council that the Wrexham UDP is now considerably out of date and although policy H8 can still be considered as relevant in part, other up to date policy (as above) should, in conjunction, be taken into account. Policy H8 as it relates to rural areas allows up to 5 affordable dwellings on the edge of settlements and the initial benefit of discounted prices will be retained into the future by legal agreements. Policy H8 further states that due consideration will be given to the size, character and location of the site, particularly with regard to its convenient proximity on foot or cycle to local services and public transport. The sustainability aspect of the application has not been properly assessed by the Council and is discussed further below.

Sustainability – Social, Economic and Environmental

- The Head of Environment and Planning, in his report to the Planning Committee, appears to have taken a very short-sighted approach to the issue of sustainability in rural locations. The parish of Hanmer, including Horseman's Green, is in its entirety the local community. This statement is accurate and forms the basis in the assessment of whether the community is a sustainable community or not.
- Hanmer is approximately 1½ miles distance from Horseman's Green which is therefore within easy walking or cycling distance one with the other. Hanmer has the

majority of facilities and services including the local 146 bus service, Wrexham to Whitchurch, passing through several times daily. There are three shops and a pub, the doctor's surgery is a short distance outside the village and the primary school is located next to the church. Horseman's Green has a new Community Hall and a weekly bus service (45F) running through outlying areas not covered by the 146 service to Wrexham and return on Mondays (market day). Horseman's Green previously had a shop and post office but some years ago the post office business was amalgamated with Hanmer by Post Office Counters Ltd.

- To suggest that the whole of the community does not contribute to keeping these essential services and facilities viable is incorrect, the short distances involved in accessing these services and facilities, whether by walking, cycling or private car, ensures their viability and continuation. The social and economic sustainability is maintained by the whole community but as previously stated if the population continues to fall or even remains static, this would no doubt precipitate a downward spiral and the loss or reduction of the services and facilities currently enjoyed.
- PPW 4.7.7 is relevant –
*For most rural areas the opportunities for reducing car use and increasing the use of walking, cycling and public transport are more limited than in urban areas. **In rural areas the majority of new development should be located in those settlements which have relatively good accessibility by non-car modes** when compared to the rural area as a whole. Local service centres, or clusters of smaller settlements where a sustainable functional linkage can be demonstrated, should be designated by local authorities and be identified as the preferred locations for most new development including housing and employment provision. The approach should be supported by the service delivery plans of local service providers.*
- A recent rural affordable housing survey (albeit conducted in England) concluded that 73% of the population are in favour of affordable housing in their local area and 65% of people living in rural areas are supportive of new affordable homes. Those who object and councils that fail to act make it almost impossible for families to grow and remain in the same area and more difficult for people to move into these areas, which puts the long-term sustainability of these communities at risk.
- Social, economic and environmental sustainability is an important issue and it is unfortunate that the Hanmer Community Council objects to this application when one might expect them to be supportive, support their community as a whole, support and promote affordable housing provision and so aid continued sustainability of the community. It shows a lack of understanding of the issue. Unfortunately, the same can be said of the Head of Environment and Planning who ought to support, wherever possible, smaller rural communities but in this case has deemed a 1½ mile journey to Hanmer an unacceptable distance to expect people to walk or cycle concluding that from now on Horseman's Green is an unsustainable location. This of course is disputed, the short distance involved inevitably means that the site location must accord with Wrexham UDP Policy H8 because of its 'convenient proximity on foot or cycle to local services and public transport'.
- The settlements of Hanmer and Horseman's Green together form the local community and it is the whole community that contributes to their sustainability. Hanmer and Horseman's Green are inextricably linked, and always have been, and together form a sustainable community. It is true to say, as one objection letter correctly stated, to allow this application would set a precedent. To many in the community it would be a welcome precedent that could precipitate more affordable housing ensuring that Horseman's Green and Hanmer continues to be a social, economic and environmentally sustainable community.

Summary

1. The proposal accords with TAN 6 'Planning for Sustainable Rural Communities', 4.2.4, as it relates to smaller rural communities and will be an unsubsidised affordable dwelling provided by the intended occupier. It will remain an affordable property in perpetuity which will provide a long-term benefit to the community.
2. There is a presumption in favour of sustainable development.
3. The application site is on the edge of the settlement area of Horseman's Green and would represent only a minor extension of the settlement.
4. The proposed site is surrounded by the extended gardens and small paddocks of residential properties as shown hatched green on Location Plan P-01 (attached). Consequently, it does not extend into open countryside and is a logical extension of the settlement of Horseman's Green.
5. It is difficult to see, given where the proposed site is, how this modest sized affordable bungalow could have 'a detrimental impact upon the character and appearance of the area' or 'be materially detrimental to the countryside and would represent an undesirable visual intrusion into the rural landscape'. The applicants disagree with these assertions and furthermore wish to stress that Mr Forrester, having been associated with Horseman's Green for over 40 years, would not have made this application if it was thought the above to be true and that it would be harmful in any way if allowed.
6. Wrexham Council appear reluctant to take account of up to date policy especially where rural communities and affordable housing is concerned. The merits of this application have been ignored and the Report of the Head of Environment and Planning to the Planning Committee consequently did not provide a full account of the policy applicable.

This affordable housing proposal complies with current planning policy and the community of Hanmer and Horseman's Green is a sustainable location.

We therefore respectfully request that this appeal is allowed.

