

Site of App Chem, Hugmore Lane, Llan y Pwll, Wrexham

Proposed Residential Redevelopment – Proof of Evidence
on behalf of the Appellants, App-Chem Ltd.

Appeal refs: APP/H6955/A/17/3178856
 APP/H6955/E/17/3178860

the
Planning
C o n s u l t a n c y

1. Personal Background.

- 1.1. My name is Matthew Gilbert, I have an honours degree in Town Planning and I am a Member of the Royal Town Planning Institute.
- 1.2. Since gaining my degree in 1981, I have held various posts in both the private and public sectors.
- 1.3. I have worked for the City of Stoke on Trent as a planning officer with responsibility for both development control and conservation issues and, between 1988 and 1992, I was a partner in a firm of planning consultants advising clients on planning and development issues throughout England and Wales, but most particularly in the North-West.
- 1.4. I was subsequently employed by a National housebuilder, for whom I was the Group Planning Advisor, providing advice and assistance to the Group's housebuilding companies throughout Britain.
- 1.5. For the past twenty-five years I have been operating my own planning consultancy, providing planning advice to clients throughout the Country on a wide range of development proposals.
- 1.6. The evidence which I have prepared and provide within this written statement for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2. Introduction

2.1. This Statement has been prepared in support of two appeals on behalf of App-Chem Ltd (the Appellants) relating to proposals to redevelop the site of their former industrial premises on Hugmore Lane for residential purposes.

2.2. The brick built barn on the northern boundary of the site was originally part of the adjacent Holt Lodge Farm. Holt Lodge Farmhouse is a Grade 2 listed building and, consequently, the barn is treated as being 'curtilage listed' as a result of its former association.

2.3. The proposals as a whole involve the demolition of the majority of the industrial buildings that are presently on the site, the curtilage listed brick built barn would be retained, although a lean-to structure along its southern side would be demolished. The proposals then involve the conversion of the curtilage listed building into 4 no. dwellings and the construction of 12 no. dwellings on the remainder of the site. Applications were, therefore, submitted for both planning permission and listed building consent relating to the package of proposals.

2.4. However, the LPA refused planning permission for three reasons which are summarised as follows:

2.4.1. The site is outside settlement limits in a location that is considered inappropriate for housing.

2.4.2. The proposals will harm the rural character of the area as a result of its layout, design and density.

2.4.3. The proposals do not include any public open space and, therefore, the proposals will be of detriment to the amenity of future residents.

2.5. In addition, the application for listed building consent was refused on the basis that the proposals would be harmful to their character.

2.6. On behalf of the Appellants, it is not considered that any of the stated reasons for refusal are justified, the proposals would result in an appropriate, sustainable and attractive redevelopment of the site which is fully justified, especially in the light of the absence of a five year supply of housing land in the County Borough and the absence of any practical alternative uses to which the site might usefully be put.

2.7. The reasons why the appeal proposals should be granted permission/consent are set out in the following sections of this evidence, starting with the position in relation to housing land supply and the availability of alternative uses.

3. Housing land supply considerations.

- 3.1. It is accepted that the appeal site is located outside the identified settlement boundaries within the Wrexham UDP and, therefore, the proposal is in conflict with policies PS1 and H5 of the UDP, as stated in the LPA's first reason for refusal (copies of relevant policies are included within Appendix One). Both policies indicate that residential development should be located within settlement boundaries.
- 3.2. A copy of the Officer's reports in relation to the appeal applications are included in Appendix Two. Within the planning report it is acknowledged that the Council is unable to demonstrate a five year housing land supply and, furthermore, their emerging development plan is likely to require some 4000 dwellings to be provided on currently unidentified sites.
- 3.3. Paragraph 6.2 of TAN 1 indicates that the land supply position should be treated as a material consideration in determining planning applications and that, where the supply is less than five years, or where the Council has been unable to undertake a study (as is the case in Wrexham):

"the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and other policies"

- 3.4. Therefore, it is clear that in this case the need to increase the land supply is a material consideration to which *"considerable weight"* needs to be attached in considering the appeal proposal. It is correct, of course, that this does not mean that all proposals should be automatically approved as there may be issues with a particular proposal that outweigh the land supply consideration in the balance of material considerations. However, it is clear that there is likely to be justification for proposals that, for example, are just outside the boundary of a settlement, but are generally in accord with the policies of the Plan, in these circumstances the

considerable weight attached to the need to increase the land supply would outweigh the conflict with the development plan.

3.5. In order to illustrate the above, attached as Appendix Three is a summary of appeal decisions in Wales where these issues have been addressed, it is clear that the housing land supply issue has provided justification for granting planning permission on suitable sites in many situations, despite conflict with development plan policy, including locations outside settlement boundaries, and this is the approach that is considered appropriate by the Appellants in this instance.

3.6. These considerations are returned to in the context of considering the LPA's first reason for refusal in particular.

4. Are there any alternative uses for which the appeal site might reasonably be used?

- 4.1. Notwithstanding the housing land supply arguments, it was also considered important in putting forward the appeal proposals to emphasise that there did not appear to be any practical alternative uses to which the appeal site might be put.
- 4.2. The pre-application enquiry to the Council, enclosed within Appendix Four, together with the response, included details of the marketing of the property since 2011 with no purchaser being identified, but, unfortunately the LPA's response did not comment on this issue at all.
- 4.3. The Appellants use of the premises had been for several years at a very low level, only making use of part of the premises, consequently it had been decided that the business needed to relocate (as has now happened) and a new use for the property identified. It, of course, makes absolute sense in sustainability terms that the property should be in active use, but this consideration is heightened by the presence of listed buildings both on the site and on adjacent land; the setting of those buildings would be significantly harmed were the property to be empty for a prolonged period of time, especially so if the buildings and grounds began to deteriorate.
- 4.4. The marketing report summarises the marketing of the site since 2011 by two firms of surveyors, but neither was successful in disposing of the site, the Agents considered that there were fundamental problems with the site from a commercial point of view and, therefore, recommended that consideration be given to alternative residential redevelopment.
- 4.5. In submitting their proposals the Appellants were mindful of the approach adopted in relation to the residential conversion of two barns on the neighbouring Holt Lodge Farm site, a copy of the Officer's report in relation to the planning application for that development is included in Appendix Five. It is apparent that no marketing

evidence was submitted in support of the proposal. The report specifically commented that no marketing information had been submitted, but it was commented that, having regard to the availability of both vacant land and purpose built industrial units on the nearby Industrial Estate the site *“is likely to prove unattractive for industrial uses in comparison”* in addition, it was commented that the curtilage listing of the buildings meant that there would be far more constraints to adapting the buildings than would normally be the case and, consequently, it was concluded that *“I am satisfied it is unlikely that the site will prove attractive for non-residential uses”*. Precisely the same considerations apply to the appeal site.

4.6. The issue of alternative uses is considered within the Officer’s report (Appendix Two), but, despite the marketing history, the conclusion is far from clear. The marketing history was referred to as “appearing to suggest” that the prospects of the site being reused for employment were low, but that this was not considered sufficient reason to grant planning permission and alterations to the buildings might make alternative uses a more viable proposition. However, the marketing history did far more than just cast doubt on the potential for alternative employment uses, almost five years marketing of the property demonstrates beyond reasonable doubt that there is no realistic alternative employment prospect.

4.7. It is clear that the possibility of alternative use of the site has been exhaustively investigated, but without success, and that, in the absence of the appeal proposal proceeding, it is very difficult to see the site being put back into a meaningful use in the foreseeable future. It is difficult to understand why the LPA did not seem able to reach this conclusion in their own analysis of the situation, especially given their approach to the neighbouring site in very similar circumstances.

4.8. Far from being a neutral or even negative point, as the LPA’s approach appears to suggest, the fact that there appears to be no realistic alternative use for the site is a consideration that weighs significantly in favour of the grant of permission

5. Is the appeal site an inappropriate site for housing?

5.1. The LPA's first reason for refusal indicates that, notwithstanding the housing land shortfall, the site is, nevertheless, considered to be an inappropriate location for housing. The basis of this objection must, therefore, be that the "*considerable weight*" attached to improving the housing land supply is outweighed by other considerations.

5.2. I note the Planning Officer's reference to paragraph 4.9.1 of PPW where it is made clear that not all previously developed sites are suitable for development and specific examples of unsuitability are given relating to location, the presence of protected species or valuable habitat or industrial heritage or because it is highly contaminated. I shall comment on location in greater detail below, but it is immediately apparent that, with the LPA having considered the neighbouring site to be appropriate for residential development in locational terms, otherwise they could not have granted permission for the barn conversions, then it is very difficult to see why the appeal site should be any less appropriate. None of the other examples of inappropriate sites arise as issues at all.

5.3. Furthermore, the comment about inappropriate sites for development needs to be placed in context. Paragraph 4.9.1 of PPW also states that:

Previously developed land should, wherever possible be used in preference to greenfield sites

There is no reference to this guidance only applying to sites within existing settlement limits, indeed, reference to such sites "*wherever possible*" clearly indicates that it applies to sites over a much wider area. Paragraph 4.9.3 goes on to state that:

If the Welsh Government's objectives for the more sustainable use of land and

buildings and the re-use of previously developed sites are to be achieved, local authorities and other stakeholders will need to be more proactive.

I can only comment that I see no evidence of the LPA being proactive in this instance.

- 5.4. I further note that paragraph 3.7 of the UDP sets out the LPA's approach to housing and identifies a series of objectives:

...the aim is to allocate most new housing to a range of sites within and adjacent to existing built up areas; to make optimum use of previously developed or vacant land..

This appeal site is in complete compliance with these aims.

- 5.5. In considering the location of the appeal site, the LPA state in the Officer's report that the site is divorced from a settlement being some 2.5 km from the edge of Wrexham. Reference is made to the fact that the site abuts the identified settlement limit for the Wrexham Industrial Estate (an extract of the proposals map is included in Appendix One to illustrate this), but the commentary goes on to state that:

"it cannot be considered as a settlement in the sense of a place where people live or where new housing would be directed"

The above comment looks to interpret Policy PS1 in a manner that is simply not included within the Policy which states that:

New development for housing, employment and community services will be directed to within defined settlement limits/employment areas.

Policy H2 then further emphasises this principle specifically in relation to housing.

The Policy includes no distinction between the settlement limit for the Industrial Estate or any other settlement limit and all of them are stated as being suitable for a variety of uses, including housing. In order to emphasise this point, attached within Appendix Six is a copy of an appeal decision relating to a proposed housing site on the Industrial Estate where the LPA sought to run a similar argument. At paragraph 9 the Inspector commented:

...it should be noted that Policy PS1 of the UDP states that new development for both housing and employment will be located within defined settlement limits. Policy H2 then allows for residential development on unannotated land within settlement limits. Wrexham Industrial Estate is defined as a settlement and although it is largely an area of existing business and industrial premises and has a further 65ha of allocated employment land awaiting development I can find nothing in the UDP which suggests it should be treated differently to other settlements. It follows that there is no objection in principle arising from the development plan to residential development of the appeal site.

It is clear both from relevant policy and from the Inspector's conclusion in the above appeal decision that from a policy perspective the appeal site abuts (the opposite side of the road) a settlement area where residential development is permitted. Therefore, for the LPA to argue that the appeal site is a wholly unacceptable location for development is in direct conflict with its own policy; if the opposite side of the road is an appropriate location, then the appeal site must be viewed similarly in the context of the housing land shortfall, as the appeal decisions in Appendix Three clearly demonstrate in relation to other sites that were just outside settlement boundaries.

5.6. I comment on further aspects of the LPA's case against the location of the appeal site being appropriate for residential development as follows:

5.6.1. As noted previously, the LPA have granted planning permission for the conversion of two barns on the adjacent site to residential. If the appeal site is an inappropriate site in sustainability terms, then so would the adjacent site, and neither the fact that the proposals involved the reuse of existing buildings or the fact that they were listed would make any difference because both considerations also apply to the appeal site (which is also a previously developed site). The LPA are, therefore, applying a different approach to the appeal site to that which they applied to the neighbouring site and there is no justification for this.

5.6.2. The LPA also distinguish between the appeal site and the dwellings recently granted permission on greenfield sites at the northern end of Hugmore Lane which, the Officer's report describes as, infill plots. Whilst they may well be infill plots, a consideration more than balanced by the previously developed status of the appeal site, this has nothing to do with relationship and accessibility to services which, the LPA would presumably agree, is very similar (they are, in fact, considerably further removed from the closest settlement limit).

5.6.3. So far as accessibility to bus services are concerned, timetables for the available services are included in Appendix Seven. It is clear that there are four different services providing access from near the appeal site to Wrexham and other locations between approximately 7.30 in the morning and 6.15 at night. The Planning Officer comments that it is "very unlikely" that people would walk from the appeal site to Holt Road as it is approximately 900 metres and unsafe, particularly in the dark. The more frequent services are actually from the Industrial Estate, in relation to which accessibility is not questioned, however, 900 metres is not an excessive distance to walk (The Walking and Cycling

Strategy for Wales indicates that walking is a realistic option for distances of under one mile) and, no doubt, there are significant areas within Wrexham Town from where the nearest bus is a similar distance. So far as safety is concerned, since Hugmore Lane was effectively by-passed and stopped up, it has, in effect, become a cul-de-sac, there is very little traffic on the road and people can be seen walking along the road in an entirely relaxed and safe fashion.

5.6.4. The submitted Planning, Design and Access Statement made reference to the cycleway that runs from the end of Hugmore Lane, linking the appeal site to Wrexham Town Centre which is clearly signposted, the fact that the route is signposted surely indicates that the Council consider it to be a realistic option for travel as it would be illogical to argue otherwise. Until it gets into the Town, the route runs along quiet lanes, one of which is closed to vehicles, there is a modest incline on the route into Town, but in testing the route (ageing, infrequent cyclist), the Town was reached in 13 minutes from which point there was access to pubs, shops etc, whilst the Town Centre by the Border Retail Park, including Tesco's and Asda was reached in 17 minutes 30 seconds. On the way back, because the slope was in a cyclist's favour, the site was reached from the Town Centre in 12 minutes 30 seconds. It is clear that cycling provides a genuine option for access into the Town and, indeed, to the Industrial Estate for those going to work.

5.6.5. In considering the accessibility of the appeal site there is a final point to be made in relation to the established use. Whilst it is acknowledged that it has not been possible to identify a new commercial occupier for the appeal site, any such user would, itself, be a significant generator of traffic. Therefore, in considering a proposed new residential user, it is not sufficient just to say that the residential properties would generate traffic, not least because that is true of any use, but in comparative terms, residential use would be likely to generate significantly less traffic and especially so in the peak hours when

potentially large numbers of employees (the existing buildings are approximately 2000 sq metres) might all be arriving or leaving at approximately the same time.

5.7. It is clear that from a policy point of view the UDP acknowledges the suitability of land immediately adjacent to the site for residential development and, in the light of the housing land shortfall (and having regard to the fact that the site is previously developed and there is a need to find a new use for a building that is listed) it is clearly appropriate in this case to conclude that the conflict with development plan policy is outweighed by the “considerable weight” that is attached to improving the housing land supply. Moreover, the negative approach of the LPA is in conflict with that which they have applied in relation to other residential proposals in the locality and there does not appear to be any logical explanation for this. Finally, it is clear that the appeal site is not as remote as the LPA have suggested, it has access to reasonably frequent bus services, the Industrial Estate is accessible either on foot or bicycle and a cycleway links the site to a range of facilities, including the Town Centre, within easily accessible distances.

5.8. For all of the above reasons it is concluded that there is no justification for opposing the principle of residential redevelopment on the appeal site.

6. Would the proposal be of detriment to the character of the area?

6.1. The LPA's second reason for refusal refers to the alleged detriment of the appeal proposals, by virtue of their layout, design and density, both to rural character and the character and setting of curtilage listed buildings; the latter point in relation to curtilage listed buildings is dealt with separately in a later section of this evidence.

6.2. Within the pre-application response (Appendix 4), the LPA expressed concern about the suburban form of the development that it was said would detract from the rural character, but there was no reference to density. In response to this comment, the original proposal for two detached dwellings on the frontage was replaced by two groups of three terraced 'cottages' which, it was considered, would not only have a less suburban appearance, but would also add positively to the mix of dwellings provided on the site.

6.3. Within the Officer's report, despite the change in housetypes on the frontage of the site, the same point is made in relation to urban/suburban form and, in addition, it was commented that this impression was emphasised by the large turning head and footways within the development. The issue of the approach to road design had arisen at the pre-application stage and, as my e-mail to the Planning Officer dated 26.1.17 stated, we had originally proposed a far more pedestrian friendly/Manual for Streets compliant layout, but it was directly in response to comments from the Council's Highways Officers that the road and footway layout was amended to what we acknowledged, was a less appropriate approach in terms of its character, however, we suggested that, if the Planning Officer was able to get the Highways Officer to agree to a different approach, we would be happy to amend the layout to address this particular concern. No reply was received to this offer and it was, therefore, particularly galling to be criticised for incorporating amendments to the layout which had been specifically requested by a Council officer.

6.4. Whilst, for reasons I shall explain below, I do not consider these changes are so severe as to justify the refusal of permission, insofar as the matter may be considered to be of concern, then it seems to me that the matter could be conditioned in order to provide an opportunity for a more appropriate road design to be submitted and approved, whilst this might seem unusual, it would not alter the layout of the site, but merely request further revised details which is what conditions frequently require. Consequently, I see no reason why a condition would not be appropriate.

6.5. However, notwithstanding the above, I see no reason why the proposed layout should be considered unacceptable. The Officer's report acknowledges that the site has an industrial character at present, that is an important starting point in the assessment of the character of the proposed development with the large industrial sheds, clad in coloured profiled sheeting dominating the appearance of the site, with a large open tarmac area between them and Hugmore Lane. Whilst the barn structure is also visible, especially in views from the south, most of it is obscured by the industrial buildings which physically adjoin it along the greater part of its elevation into the site.

6.6. Whilst previously, when Hugmore Lane was the principal access into the Industrial Estate, the road carried a significant amount of commercial traffic and its character was markedly different, now, however, it is very different. The appeal site sits between Holt Lodge Farm, with the two associated residential barn conversions on one side, and additional residential dwellings to the south, it is the appeal site that is now the use which appears slightly out of place, surrounded by residential property and cut off from the Industrial Estate. Aside from the appeal site, the character of the immediately surrounding area is residential and, indeed, that is the overriding character of Hugmore Lane throughout its length which the recent permissions at Holt Lodge Farm and further to the north have consolidated.

6.7. Consequently, far from being out of character, the proposed residential redevelopment of the appeal site would appear in principle to be consistent with the character of the immediate area. The question, therefore, arises as to whether there is anything about the appeal proposal in detail that would be fundamentally unacceptable.

6.8. The first thing to note is that the appeal site is a relatively large site with an area of 0.62 ha, the proposed 16 dwellings are equivalent to an average density of 25.8 dph which is certainly not excessive, especially when one has regard to the fact that it includes four terraced dwellings within the barn conversion and two other groups of three terraced dwellings, all of which would tend to raise the density. No concerns are raised in relation to space between dwellings or garden sizes. Consequently, when one has regard to National policy, which at paragraph 9.1.2. of PPW highlights the need to make the most efficient use of land, there is nothing that suggests that the density of development proposed is excessive.

6.9. Nor does it appear that the form of the development raises particular concerns. The development at Holt Lodge Farm involves brick walling and buildings along the frontage and the basic linear form is continued south of the appeal site through the adjacent houses. The proposal, of course, retains the barns on the appeal site which are set back a short distance from Hugmore Lane, and this set back is continued through the two groups of terraced properties that it is proposed to erect on the frontage which then flow naturally into the dwellings south of the appeal site. Consequently, it does not appear to me that there is anything inappropriate with the way in which houses are proposed to be sited on the site frontage.

6.10. In addition, the houses are set back sufficiently far that, as the layout plan illustrates, the built form could be softened by landscaping which might not only include trees, but also boundary hedging, all of which would contribute to a character of development that is appropriate to the locality. Appropriate

landscaping could, of course, be secured by condition.

6.11. It should be recognised that the form of development is influenced to a significant degree by the siting and conversion requirements, including access, associated with the barn conversion; in terms of the basic form of development it is difficult to know how the development might be laid out as an alternative. However, the barn conversion and the frontage terraced properties would be the most significant and prominent elements of the development, the barn conversion is considered in greater detail later in this evidence, but it is surely not suggested that this itself is of a suburban character and, alongside the terraced frontage properties, it is difficult to understand why they might be considered to be of a suburban character either. The new dwellings to the rear would be significantly screened from view by the frontage dwellings, but it is accepted that glimpses would be available of some of the dwellings along the site access although, once again, it should be emphasised that these dwellings, insofar as they would be seen, would be viewed as being sited around the central open space area with, once again, tree planting along the access and within the open space providing significant softening and filtering of the views.

6.12. Finally, it should be emphasised that the 12 new dwellings include four different housetypes, including the frontage terraced cottages, detached dormer bungalows and semi-detached dwellings, there is significant variety within the development which could be taken further through the use of a variety of materials if it was considered necessary.

6.13. For all of the above reason I do not consider that there is justification for the concerns raised in relation to either the density of the development or its character. The development would be an attractive development in the context of its residential surroundings, it would not be of an inappropriate density and, I am bound to say, it would be a significant improvement on the existing industrial

appearance and character of the site.

7. Is there an issue in relation to open space?

7.1. The third reason for refusal alleges that there is no open space provided within the development and that this would be to the detriment of the occupiers of the dwellings and also contrary to the LPA's Policy CLF5 in this regard.

7.2. The original plan submitted at the pre-application stage for comment included a central area of open space and the retention of the grassed area along the frontage of the site. It is possibly for this reason that the matter was not of concern at the pre-application stage.

7.3. However, the response to the Highway comments resulted in the central area being reduced in size and the grassed frontage area being lost (a 2.0 metre footway was required right along the frontage). The matter was not raised as a concern when the Planning Officer wrote setting out his concerns on January 24th 2017, my reply had indicated (26.1.17), that I recognised that there might be an issue of principle between us, but I was keen to address as many of the detailed concerns as possible; therefore, it came as a surprise when it arose as a reason for refusal without prior comment.

7.4. The LPA's Policy CLF5 requires the provision of 0.4 hectares of open space for every 50 dwellings, the 16 dwellings on the appeal site would, therefore, require 1280 square metres of open space on this basis. Whilst the Policy applies this to all sites over ten dwellings, it is clear that it is primarily directed at much larger sites as, in order to put it into context, the required area is pretty much equivalent to the entire extent of the dwellings and curtilage areas of the six terraced dwellings on the frontage of the site.

7.5. The related Local Planning Guidance Note 10 provides further detail and explains that the requirement is based on the NPFA Six Acre Standard for which the greater part is in relation to the provision of playing fields suitable for youth and adult

usage, self-evidently, provision of playing fields on the appeal site will result in such a small area of provision that it will be of no practical use for its intended purpose. Children's facilities amount to just one eighth of the overall requirement within the NPFA standard, the Officer's report says that the lack of open space within the development means that, particularly children, will be left without a space for informal recreation. In fact, when the reason for refusal indicates that no open space is provided within the development, it is wrong, there is a central green with an area of 180 square metres; the proportionate requirement for children's playspace (160 square metres) is actually met by this area, central to the site and overlooked by the surrounding housing.

7.6. In addition to the above, the south and eastern boundaries of the site are extensively planted with woodland that will be retained, although it is anticipated that this would be included within gardens for maintenance purposes (although it is not necessary to do so), this provides an additional, extensive, landscape amenity feature for the site.

7.7. The Policy is far from clear as to what it really requires of developers. Whilst applying the policy to developments of 10 or more dwellings, the Policy, nevertheless, goes on to indicate that in relation to small urban sites on-site provision may not be required if the site is unsuitable for open space provision or where the proposal would not place significant additional pressure on existing facilities in the vicinity. The reference to urban sites perhaps suggests that the Policy was not drafted with sites such as the appeal site in mind, especially as such sites have ready access to the countryside and, therefore, on-site provision is less critical than it might be in truly urban locations. However, if one applies the test as worded, it is clear that the site is not suitable for open space provision, certainly at the level required by the Policy and, furthermore, in relation to the second test, the development would not place undue pressure on any other facilities in the vicinity - because there are no facilities locally which could become overburdened. Whilst I recognise the weakness of an argument that relies on the absence of local facilities

as justification for not providing anything, in terms of a literal interpretation of the Policy, there is no breach, hence the need in my view to adopt a flexible approach.

7.8. It is clear to me that the Council's open space policy does not really work in situations such as that relating to the appeal site, the level of provision of any particular type of open space justified by the scale of development proposed is not of any significant value to the development or otherwise and in such circumstances, especially in this particular semi-rural area where there are no local facilities to which a contribution might usefully be made, what would seem more important is to provide a development that is attractive. As described, this development has a small green area in its centre around which the proposed dwellings are arranged and the development as a whole is provided within the setting of the mature boundary trees. It is my view that this approach is appropriate to this particular site and accepting such an approach on this occasion would not create a precedent for other sites where factors such as size, location and proximity to existing open space would understandably result in a different conclusion.

8. Would the appeal proposals be harmful to the character of the listed buildings?

8.1. The Officer's report expresses the view that the size and appearance of the ground floor openings proposed for the south facing elevation do not reflect the appearance of the north facing elevation. It is also commented that the lean-to structure may date back to the 19th Century and the potential to re-use it does not appear to have been considered.

8.2. At the pre-application stage it had been acknowledged that the elevations facing into the appeal were compromised by the adjoining industrial buildings and that these elevations were less important to the setting of Holt Lodge Farm than the northern elevation, however, it was, nevertheless, suggested that the design approach should be reconsidered as it failed to enhance the appearance of the building, the removal of the lean-to structure was not mentioned.

8.3. The elevation was reconsidered and curved lintels were introduced above each of the openings to reflect those on the northern elevation. The Planning Officer's detailed comments during the application process (e-mail 24.1.17) raised a concern with regard to the lack of private amenity space for the barn conversions, but it did not raise any issue with regard to the design itself which, it was assumed, had been satisfactorily addressed, but clearly that was not the case.

8.4. It seems to me that there a number of fundamental considerations that assist in explaining the approach to the barn conversions which I set out as follows:

8.4.1. At this moment, the curtilage listed barns have no use, despite several years of marketing; if a new viable use is not found, the buildings will decay and their value will be lost. The 'loss' would be most significant in relation to Holt Lodge Farm which, the Planning Officer has acknowledged, is the most significant element. In the absence of any alternative use having been identified, residential use appears to be the only practical option and, therefore, this is a

significant consideration, not only in relation to the listed buildings themselves, but also in relation to the principle of residential development across the site as a whole.

8.4.2. Although it only arose as an issue when the planning and listed building consent decisions appeared, contrary to the assertion of the Planning Officer, the retention of the lean-to structure was considered. However, three considerations informed the decision to remove it:

8.4.2.1. It would be inappropriate to alter the north elevation in order to introduce light into a residential conversion from a listed building point of view, not only is this appropriate in the interests of the listed buildings (at Holt Lodge Farm, in particular), but there is also a covenant that prevents any such changes (including the opening up of blocked openings), irrespective of whether it might be possible to secure listed building consent.

8.4.2.2. The ground floor elevation has been almost entirely removed along the length of the barn, both in relation to the lean-to and the industrial building. The remaining first floor structure is supported by a framework of steel girders which, if retained, would create a significant problem in terms of noise transmission from one dwelling to the next.

8.4.2.3. Having regard to the inability to introduce significant light from the northern elevation, the depth of the ground floor accommodation with the lean-to in situ meant that there would be serious issues with getting appropriate daylight into the rear of the building.

8.4.3. The Conservation Officer has apparently suggested that the lean-to might be of 19th Century origins; if this were so, it would still not change the practical considerations set out above, however, there is absolutely no evidence to

suggest that this is the case. It is not clear whether the Conservation Officer visited the property, however, the steel framework strongly suggests that the lean-to was of a much more recent date and, furthermore, the bricks from which it is constructed have a finish to their face which clearly places them somewhere around the 1960's. The window frames appear to be considerably older and it is not impossible that these were 'recycled' from the original elevation.

8.4.4. For all of the above reasons, it was concluded that it was appropriate to demolish the lean-to which is of no architectural or historical significance. Whilst continuing to emphasise that the listing of the barn is not in relation to its intrinsic merit, but, rather, because of its relationship to Holt Lodge Farm, it is nevertheless significant to note that such an approach, coupled to the demolition of the industrial building, will restore the original form of the barns as a freestanding range of buildings and this must be viewed as of positive benefit.

8.4.5. Removing the lean-to is not, however, the end of the problem with regard to natural light within the conversion, given the severe limitations on light from the northern elevation (as a result of the size of the windows, the requirement to use obscure glazing and because of aspect), there is still a need to introduce significant light via the southern elevation to light the whole of the ground floor and it is for this reason that it has been necessary to use large full height windows. Whilst it is accepted that this may not be the 'ideal' solution from a design point of view in terms of the way in which barn conversions are normally approached, it is the only practical solution in the circumstances, it provides a way forward for the buildings and incorporates this design solution on what will, in any event, be a newly constructed elevation.

8.5. For all of the above reasons, it is clear that there is a sound design rationale behind the proposals for the barn conversion which will provide a new long term use for

the buildings (in the absence of any practical alternatives), reinstate the form of the original range of buildings, retain the important northern elevation to Holt Lodge Farm and provide new dwellings with modern living accommodation and, most importantly, daylight.

8.6. The planning report further criticises the barn conversions because three of the four do not have private garden areas (although I note that this is not carried forward into a specific reason for refusal), but instead simply have areas to the frontage where some areas of private space are provided, albeit with less privacy than might be preferred. This is, of course, a consequence of the siting of the barns and the lack of land control on the northern side of the buildings where private garden areas might normally be provided; there is no alternative.

8.7. The report acknowledges that similar arrangements have been accepted in relation to one of the barn conversions at Holt Lodge Farm, it, therefore, follows that it is recognised that it is not essential, the report (Appendix 5) notes that the property at Holt Lodge Farm would not appeal to somebody looking for a private garden, but that the car parking would provide a limited degree of screening. Given that insistence on a private garden area would prevent the building being put to beneficial use, avoiding it falling into disrepair, the arrangement was justified.

8.8. It would be illogical not to reach the same conclusion in relation to the appeal proposals where the same circumstances arise, albeit for slightly different reasons. In addition, the appeal proposals include larger areas of land within which landscaping could be incorporated which would provide additional screening to the individual areas of private space, this could, of course, be secured by means of a condition.

8.9. For all of the above reasons, I conclude that, far from being of harm to the setting of the listed buildings, the proposals for their conversion, taking account of the various constraints, will result in an appropriate and attractive new use of the buildings

which will safeguard their future and, most importantly, safeguard their relationship with Holt Lodge Farm.

9. Conclusions.

9.1. The case on behalf of the Appellants can be summarised as follows:

9.1.1. There is a housing land shortfall in Wrexham County Borough which means, in accordance with National policy, that “considerable weight” is attached to increasing the housing land supply.

9.1.2. The appeal site is immediately adjacent to the settlement boundary for the Wrexham Industrial Estate, whilst the LPA argue that this settlement should not be regarded as an appropriate location for residential development, it is clear that the UDP policy does not adopt this approach and, indeed, the location is in accordance with both Policy PS1 and H5 of the UDP. In the context of the housing land shortfall the redevelopment of a previously developed site right on the periphery of the settlement should be viewed as entirely appropriate.

9.1.3. Policy specifically emphasises the importance of making the best use of previously developed land, such as the appeal site. This consideration is heightened in relation to the appeal proposal by the absence of realistic alternative uses, as demonstrated by the unsuccessful marketing of the site over several years. The fact that the site includes listed buildings for which a new use needs to be found in order to secure their long term survival further heightens the appropriateness of residential development on the site.

9.1.4. Furthermore, it is clear that Hugmore Lane has been viewed by the LPA as an entirely appropriate location for residential development, both in terms of barn conversions and infill plots on greenfield sites, there is nothing that logically distinguishes the appeal site from these other residential sites in terms of their sustainability.

9.1.5. Nevertheless, it is clear that the appeal site has very good access to employment opportunities in addition to which there is good access, both by bus and via cycle routes, to the Town Centre and the facilities that are located between the two.

9.1.6. The appeal proposals include a range of housetypes that will not appear out of place on the appeal site and the density is entirely acceptable. The appearance of the site will be dominated by the barn conversion and the two groups of terraced cottages on the frontage which will look entirely appropriate between the residential developments on either side. The overall appearance of the site will be a marked improvement on that of the current industrial use which is a non-conforming use between its residential neighbours.

9.1.7. The appeal site has good access to the open countryside and, in dealing with a site such as this, there is no reasonable basis for preventing development because normal standards for providing public and private amenity space are not fully met.

9.1.8. It is clear, when one has regard to the constraints of the site, that the proposals for the conversion of the listed buildings have been carefully thought through and an appropriate solution has been put forward that will provide for their long term use, maintain the frontage to Holt Lodge Farm, restore the original form of the range of barns and improve their setting.

9.2. For all of the above reasons it is concluded that the proposals are entirely appropriate and that, therefore, both planning permission and listed building consent should be granted for the appeal proposals.

Appendix One

UDP extracts.

character of the villages by maintaining these open areas and this is reflected in the allocation of land for development. It is therefore considered inadvisable to promote further major development on the edge of the urban villages beyond existing commitments.

c) The Rural Villages. The range of services available in these settlements is generally confined to those meeting purely local needs. The settlements themselves are surrounded by attractive countryside and some are not conveniently accessible by public transport. New development is therefore restricted to small sites.

3.5 With the exception of the smallest hamlets, development boundaries have been defined for all settlements. These boundaries establish a clear limit beyond which new development will not be allowed. Inside settlement boundaries, development will normally be acceptable provided it accords with the built environment policies in Part 2 of the Plan and complies with the Council's

supplementary planning guidance and adopted standards listed in Appendix III.

3.6 The strategy reflects the potential which some settlements have for further development while recognising that, in others, development opportunities are severely constrained by the capacity infrastructure or services or by the need to safeguard the environment.

Housing

3.7 The housing element of the strategy reflects the overall approach towards settlement growth set out above. In essence, the aim is to allocate most new housing development to a range of sites within and adjacent to existing built up areas; to make optimum use of previously developed or vacant land; to make use of spare capacity in infrastructure and services; and to focus on locations with reasonable public transport, walking and cycling links.

Part 1: Strategic Policies

THE BROAD LOCATION OF DEVELOPMENT

Policy PS1 New development for housing, employment, and community services will be directed to within defined settlement limits/employment areas.

Policy PS2 Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

Policy PS3 Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land, wherever possible, particularly so where greenfield land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.

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

2011. Again, this figure is the result of combining shortages and surpluses of properties of different size and across different tenures. The survey does suggest that generally there is a reasonable balance of accommodation in the County Borough and that there is adequate provision for future allocation within the Unitary Development Plan.

6.8 The housing land allocations identified in Policy H1, in number, range of site types, and variety of location, are considered reasonable and adequate to cater for the County Borough's future housing requirements to 2011. The proportion of new housing allocations on brownfield land is 53%. The proportion of new housing permissions (as at April 2001) on brownfield land is 67%. The combined figure (allocations and permissions) on brownfield land is 59%. Full account has been taken of the constraints of marketing, servicing, phasing, and ownership in defining genuinely available land. Development densities on each site are approximate and vary according to the location, topography, and physical constraints of the allocated sites, and the general character of its surroundings. Allocated sites are well-related in scale and location to existing development and are well integrated within the existing pattern of settlement and surrounding land uses. Further residential land releases could unnecessarily and unreasonably extend development, contrary to the strategy of consolidation/urban regeneration and the protection of countryside, and will be resisted.

Residential Development (of Unannotated Land) within Settlements

Policy H2 Residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1.

6.9 Although the Plan provides an adequate supply of undeveloped sites, consideration will be given to proposals for the development of unannotated land within settlement limits compatible with the character and form of the built up area. Such development contributes to the economic use of land, avoids pressure on the countryside, and serves to remove the detrimental effect of neglected land in residential areas. However, development should not prejudice either the existing amenity enjoyed by adjacent residents or potential opportunities for redevelopment. Attractive tree-lined, and/or low density residential areas (e.g. the Chester Road/Maes-y-Dre Road/Penymaes Avenue/Park Avenue neighbourhood in Wrexham, or the Wynnstay Lane/Standcliffe Avenue/Pistyll Hill/Hoseley Lane locality in Marford), must not be spoilt by insensitive developments which increase densities; constitute over-development; result in the loss of private or public open space; or detract from the general character of the area.



or architectural interest, often set in landscaped grounds of considerable interest, can be saved thereby also helping to achieve the Plan's environmental strategy. Any conversion in the countryside must be sympathetically designed in order to safeguard the existing settlement pattern and the local historic, wildlife and landscape character, and conditions may be attached to restrict permitted development rights. Policy H4 only applies to proposals which require planning permission for the sub-division of existing dwellings. Planning controls only cover certain types of "Houses in Multiple Occupation", and the policy does not therefore apply to all HMO developments. Planning permission for the conversion of a non-residential property in the countryside will not be granted unless the building is of domestic scale and constructed of permanent materials, such as stone, brick, slate or tiles. The conversion of prefabricated buildings to residential use would not therefore be allowed under Policy H3.

6.11 The incorporation of self-contained residential accommodation in existing or proposed shopping and commercial premises, principally within Wrexham town centre and the defined district shopping centres, can increase the overall dwelling stock as well as providing added security and vitality outside shop opening hours.



Housing in the Countryside

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

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

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

6.12 This policy is designed to prevent new housing in the form of isolated dwellings, the consolidation of sporadic groups, or the extension of ribbon development in the countryside as it would result in a loss of visual quality and landscape character and adversely affect agriculture. New housing is defined here as permanent dwelling houses, caravans, mobile homes, or other prefabricated or temporary structures which could be used for residential purposes. Scattered development is also generally more expensive to service than that in, or adjacent to, existing settlements.

Playing Fields, Children's Play Areas and Open Space

Policy CLF 4 The redevelopment of sports grounds, playing fields, children's play areas and informal open spaces and allotment gardens for uses other than sport and recreation will not be permitted unless:-

- a) redevelopment of only a small part of the site would allow the retention and enhancement of that existing facility, or
- b) the long term requirement for the facility has ceased and it would not lead to, or increase an existing shortfall of that facility in the immediate locality; or
- c) the loss can be replaced with an equivalent or greater provision in the immediate locality. Alternative sites should be within settlement limits or, in exceptional circumstances, adjacent to settlement limits provided that associated buildings, lighting, and parking facilities are not intrusive in the landscape and user accessibility is not reduced.

9.5 Over 70% of local communities exhibit deficits in playing fields provision; deficits are particularly severe in Wrexham, Cefn Mawr, Broughton, Coedpoeth, and Penycae. Approximately 90% of local communities also exhibit deficits in the provision of children's play areas. Significant emphasis will be placed on the protection of existing playing fields, which will be safeguarded from development and retained for recreational use. Increasing importance is placed on the contribution to the character of the local landscape and townscape and residents' quality of life made by open space through both its active recreational and visual contribution. The National Playing Field

Association standards of provision for playing fields and public open space (i.e. a minimum of 2.4 hectares of outdoor playing space per 1000 population) will be used in assessing the level of existing provision. The provision of facilities with synthetic or other surfaces capable of intensive use does not justify the release of grass facilities.

Open Space Requirements from new Residential Developments

Policy CLF5 New development of ten dwellings or more must provide informal public open space within the site at a minimum level of 0.4 hectare per 50 dwellings, be conveniently located for users, and usable for playing field(s) and/or equipped children's play area(s) and open amenity area(s). In exceptional circumstances, the application of these standards may be varied, in the case of small urban infill housing development, where the developer enters into a legal agreement for financial contributions towards the cost of public open space provision where:-

- a) the site is unsuitable for public open space provision; or
- b) the development would not place significant additional pressure on public open space facilities in the vicinity of the site.

9.6 New housing can place additional pressure upon existing local public open space and other informal recreation facilities unless increased provision is made as an integral part of the development. It is necessary, therefore, to ensure that significant new housing developments of 10 or more dwellings should incorporate an adequate amount of informal public open

space. Provision should be made at a minimum level of 0.4 hectare per 50 dwellings and include an equipped children's play area (s), and / or informal open space(s), and, where the necessary open space requirements is 0.6 hectare or more, a playing field(s). The policy recognises that in the case of small urban infill sites, it may not be practical to provide public open space in accordance with the required standards, and allows a developer to enter into a legal agreement for financial contributions towards the costs of public open space. Furthermore, developers should provide commuted sums to aid the Council in its adoption and long term maintenance of public open space. The off-site public open space provision should be directly relevant to the proposed development, meeting the standard requirements of planning obligations as given in Welsh Office Circular 13/97 (i.e. necessary, relevant, related, reasonable).

Informal Recreation

Policy CLF6 The existing pattern of public rights of way will be protected, maintained and improved and any potential new routes will be identified and safeguarded.

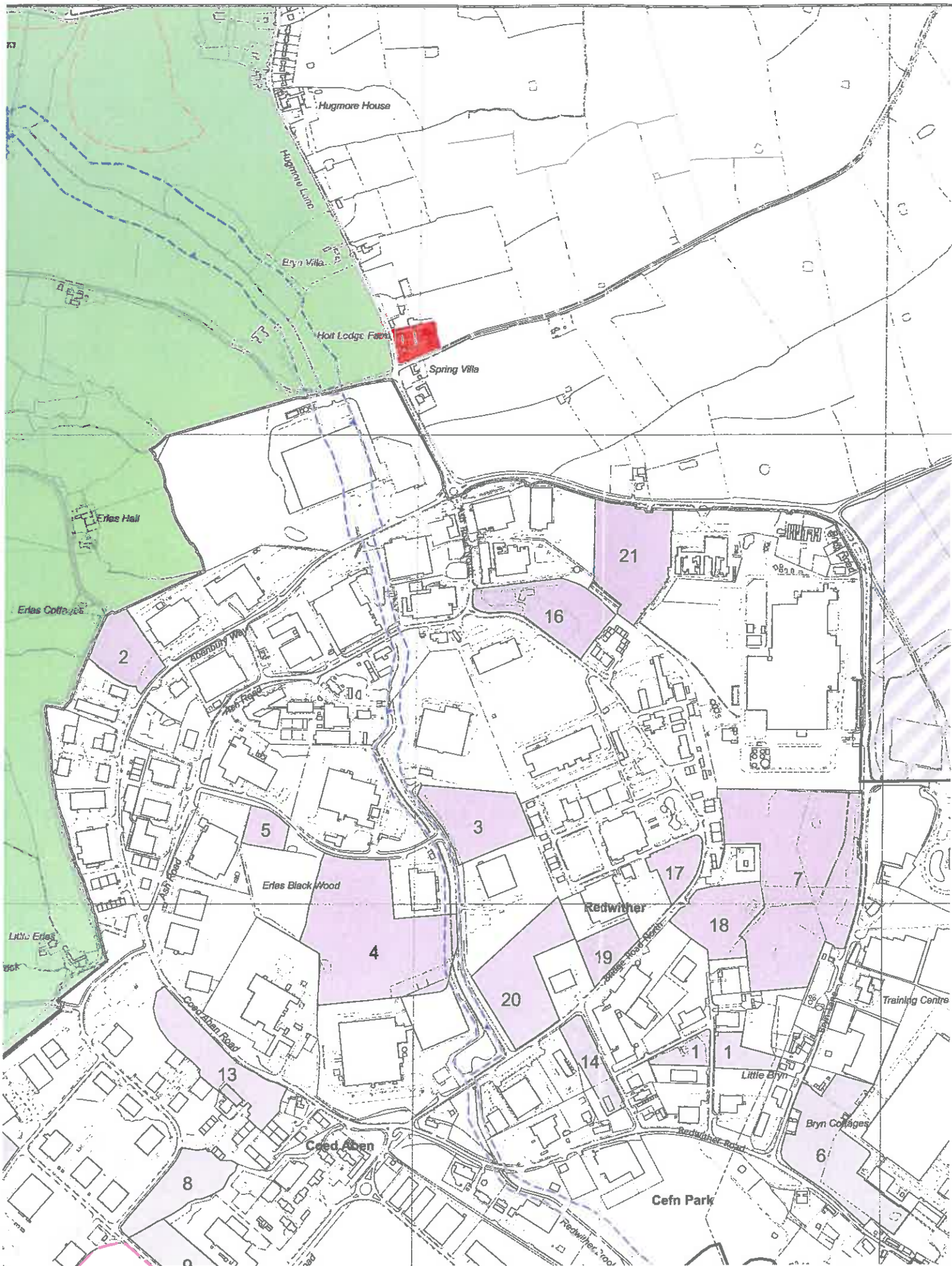
Policy CLF7 The development of countryside and water resources for informal recreation will be permitted provided that it does not harm visual amenity or nature conservation interests. Built development (e.g. information centres, toilets and car parking) should be small scale and directly related to the use of the resource.

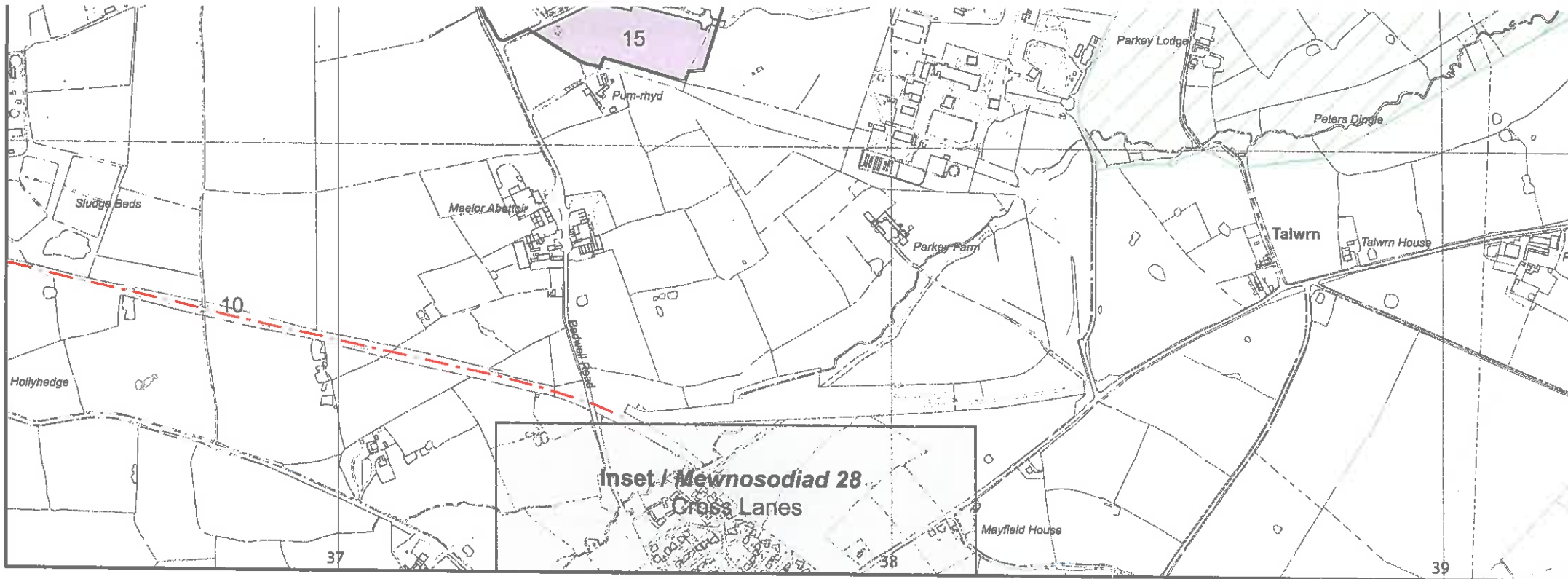
9.7 Shorter working hours, early retirement, and a longer life expectancy have increased people's leisure time and created an

increased demand for leisure facilities. Both the public and private sectors have invested in improved and new largely informal rural visitor facilities which have secured increased job opportunities, local incomes, and the range of leisure facilities available to local residents. Most people do not take part in organised recreation activities. Informal outdoor recreation such as picnicking, nature study, or visiting places of interest is becoming increasingly important.

Opportunities exist to develop informal facilities in the existing Country Parks at Alyn Waters and Ty Mawr (including a new visitor centre with adjacent facilities); at Fenns Moss; at various privately owned countryside sites; and along the extensive network of public rights of way, including the Maelor Way recreation footpath, Offa's Dyke Long Distance Path and the Clywedog Trail. The Llangollen Canal, Pontcysyllte Aqueduct, and Trevor Wharf are valuable local water recreation attractions that could be enhanced by small-scale developments directly related to the recreational use of the canal. Where rights of way are illegally obstructed the Borough will take the necessary action to remove the obstruction immediately.







3. Wrexham Industrial Estate / Stad Ddiwydiannol Wreccsam

Inset Plan Notation / Nodiadau Map Mewnosodiad

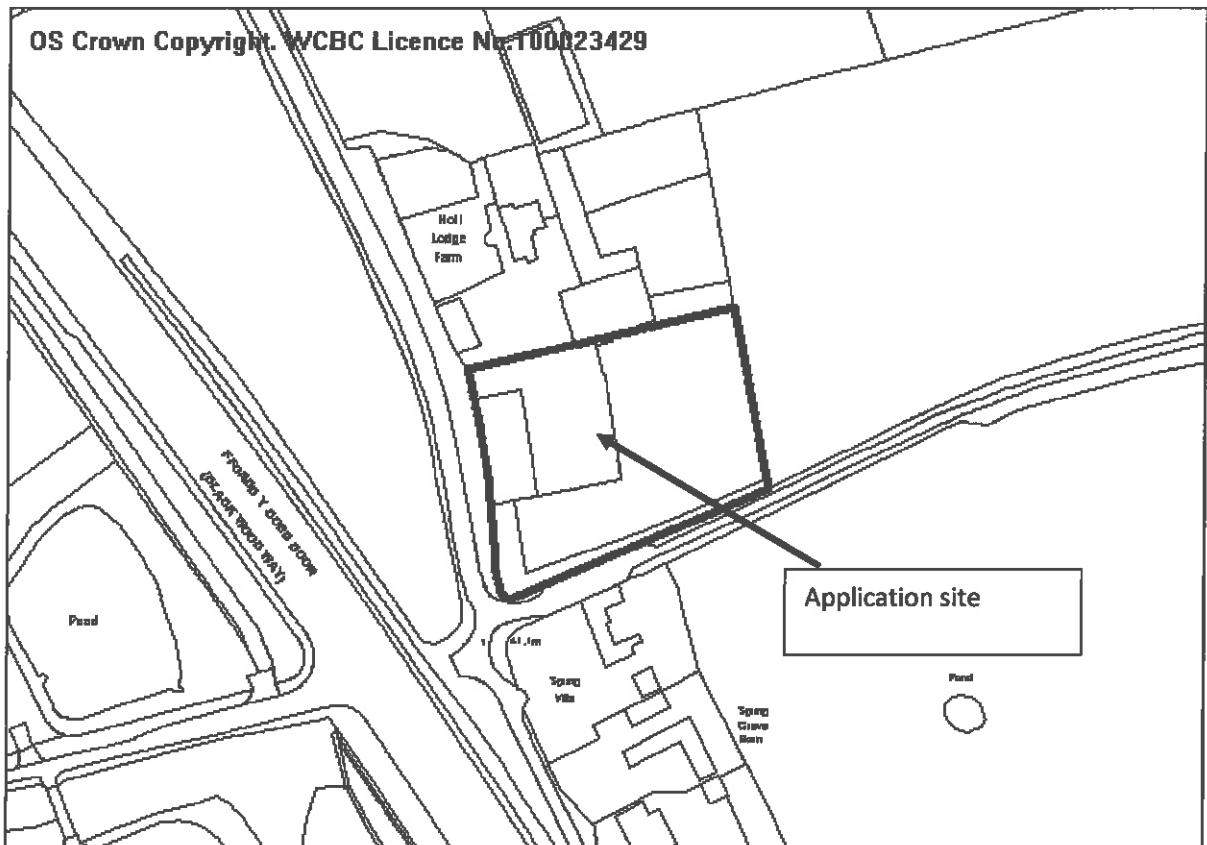
	Settlement Limit / Ffin Anheddiad - PS1		Walking/Cycling Route / Llwybr Cerdded/Beicio - T10	Other Settlement I PS2, PS3, PS4, PS
	Employment / Gwaith - E1		Protection of Mineral Resources / Diogelu Adnoddau Mwynau - MW9	Other Countryside EC2, EC3, EC4, EC
	Large Single User Employment Site / Safle Gwaith Unigol - E3		Minerals Buffer Zone / Cylchfeydd Rhagod Mwynau - MW11	Other County Bori GDP1, GDP2, CLF MW10, MW12, MW
	Pentre Maelor Business Use / Defnydd Busnes Pentre Maelor - E8			
	Green Barrier / Ffin Gwyrdd - EC1			
	Special Landscape Area / Ardal Tirlun Arbennig - EC5			
	Development and Flood Risk / Datblygiad a Perygl Llif - EC12			
	Pentre Maelor Buffer Zone / Parth Rhagod Pentre Maelor - EC17			

Appendix Two

Officer's reports.

SITE

The site is located at the junction of Hugmore Lane and Francis Lane and is occupied by a range of traditional brick farm buildings that adjoining modern former farm buildings converted to industrial use. The majority of the remainder of the site is hard surfaced.



PROPOSAL

The applicant is proposing to demolish the modern buildings, as well as a brick lean-to extension to the rear of the traditional buildings, to convert the latter into 4 dwellings as well as to erect 12 dwellings on the remainder of the site.

HISTORY

6/18110 Conversion of redundant farm outbuildings into mail order motor factors, alteration to existing vehicular and pedestrian access and installation of septic tank. Refused 11.6.1990

6/18557 Conversion of redundant farm buildings into mail order motor factors, alteration to vehicular access and installation of septic tank. Granted 8.10.1990

P/2014/0232 Change of use to dwelling. Withdrawn.

NATIONAL PLANNING POLICY

Planning Policy Wales (Edition 9). In particular:

Chapter 4: Sustainability

Chapter 9: Housing

Guidance in the following Technical Advice Notes is also applicable

TAN1: Joint Housing Land Availability Studies

TAN5: Nature Conservation and Planning

TAN12: Design

TAN18: Transport

DEVELOPMENT PLAN

Wrexham Unitary Development Plan. The site lies outside of a settlement limit. The traditional brick farm buildings are curtilage listed due to their historic association with Holt Lodge Farm, a Grade II listed building.

Policies PS1, PS2, PS3, GDP1, EC4, EC6, EC9, H3, H5 and T8 apply.

CONSULTATIONS

Community Council:	Consulted 16.12.16
Local Member:	Happy for application to be dealt with as a delegated refusal.
Public Protection:	Recommend conditions in respect of contaminated land, construction hours and dust management.
Highways:	Have made the following comments: - Any existing/proposed access would normally require visibility splays of 2.4 x 120m to the north and 2.4 x 43m to the south. It would appear possible to construct an access which could provide the required visibility splays; - I would recommend any existing vegetation/hedgerow on the corner of Hugmore Lane/Francis Lane is removed to provide a visibility splay at the Francis Lane junction of 2.4 x 43m. This has been demonstrated on the site layout plan; - The vehicle turning head indicated on the submitted plan appears to comply with WCBC adoptable standards; - Recommend the proposed footway on the northern side of the access is extended along the existing highway verge;

- A suitable scheme of surface water drainage will be required to drain any adoptable areas of the estate roads/footways;
- A suitable scheme of street lighting will be required for the internal estate road and the frontage on Hugmore Lane;
- Recommend each dwelling is provided with adequate parking provision in accordance with the maximum LPG16 standards;
- A number of proposed dwellings (4 no.) located around the turning head have only 2 parking spaces which is considered inadequate;
- The proposed driveways for the 4 no. barn conversions are only approximately 4.2m in length. The 2 no. 3 bedroom dwellings in this location only have 2 parking spaces which is considered inadequate. However 3 no. visitor spaces have been provided which could be considered adequate to offset any shortfall;
- Hugmore Lane is a rural location with limited footway provision and street lighting and very few public services available in this area. The site may therefore be considered to be in an unsuitable location for a development of this size/nature;
- Any resident wishing to use the bus would have to walk a significant distance along the entire length of Hugmore Lane to reach the bus stop on the A534 Holt Road. I understand that this service runs every 2 hours. Residents using this service would have to walk along Hugmore Lane without the benefit of footways or streetlights, which is not ideal. However there is an alternative bus stop located to the south of the site on Abbey Road (approximately 10m walk). This can be reached by existing footway provision serving Wrexham Industrial Estate;
- The proposed development site may not be considered to meet with requirements of settlement policies detailed in TAN18;
- Although there is scope to provide a suitable access off Hugmore Lane, the site may be considered to be in an unsustainable location;

NRW:

Have significant concerns and recommend permission should only be granted if conditions are attached that deal with the following:

- Contaminated land;
- Surface water drainage;
- Piling

Based on the content of the ecological submissions, we consider the proposed development is not likely to be

Welsh Water:	detrimental to the maintenance of the favourable conservation status of any local bat populations.
CPAT:	Recommend drainage conditions.
Flood Management:	Recommend a condition requiring photographic survey be imposed.
	The application form indicates that surface waters generated by the development will be managed by means of soakaway. No supporting information is including demonstrating both the existing method for managing surface water on site, or that the use of soakaway is suitable. I would normally expect redevelopment of a site to be used as an opportunity to provide betterment when compared to the existing development. Prior to determination of the application I would request that an indicative drainage proposal is submitted in accordance with the attached guidance note.
Site Notice:	Expired 11.1.17
Press Notice:	Expired 28.1.17
Neighbours:	The owners/occupiers of 5 neighbouring properties notified 20.12.16.
	1 representation received making the following comments:
	- We feel the 4 barn conversions is fine but the 12 new dwellings is by far too many in a countryside. We have no objections to the 4/5 larger houses as this would be more in keeping with the types of property on the lane. - As you drive up and down Hugmore Lane, you see some nice larger detached houses set out in nice manner. The two properties near the beginning of the lane look well; - We well the hedging, poplar trees and laurel bank must be retained. If no houses were built on the site the existing buildings will fall into disrepair and become unsightly, so we are in favour of houses being built but only 4/5 not 12.

SPECIAL CONSIDERATIONS

Policy: The site is located outside of a settlement limit and open countryside. Policy H5 allows for housing development to take place outside of settlement limits through the conversion of suitable buildings, the subdivision of an existing dwelling, up to two dwellings on an infill plot, small scale affordable housing schemes on sites adjacent to a settlement limit and key rural worker housing.

Conversion of the traditional brick buildings to residential use is acceptable in principle, subject to compliance with policy H3. I will comment in more detail on the conversion proposals below.

The demolition of the modern buildings and their replacement with 12 dwellings would not accord with policy H5. Whilst policy UDP policy H10 allows for the erection of a new dwelling to replace an existing dwelling in the countryside however there are **no** UDP policies that allow for buildings used for other purposes to be demolished and replaced by dwellings. The proposed new-build dwellings are therefore in conflict with policies PS1 and H5.

The site constitutes previously developed land and whilst policy PS3 and Planning Policy Wales are supportive of the re-use of previously developed land/sites, paragraph 4.9.1 of PPW also recognises that not all previously developed land is suitable for development, for example due to the location of the site. I will comment on this matter in more detail below.

Housing Land Supply: Planning Policy Wales (paragraph 9.2.3) requires Local Planning Authorities to ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing.

In accordance with Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies (2015), because the UDP plan period has now expired Wrexham is unable to demonstrate whether it has a 5 year housing land supply or not. In such circumstances TAN1 (paragraph 6.1) advises that the need to increase supply should be **given considerable weight** when dealing with planning applications, provided that the development would otherwise comply with development plan and national planning policies.

In addition to the above, the emerging Wrexham Local Development Plan will need to make provision for around 8,460 new homes (this includes provision for a 10% contingency) to meet the housing needs of the County Borough over the 2013-2028 period. Taking into account existing deliverable supply this equates to a requirement for sufficient land to be brought forward for around 4,000 houses to be built. It is therefore clear that there is a need to significantly increase the supply of land available for housing in the County Borough. The need to increase housing supply is a material consideration that weighs in heavily favour of this proposal.

Weight afforded to policies PS1 and H5: The existing settlement limits reflect the housing requirements identified in the UDP that were informed by migration led projecting, using mitigation trends from 1996. The LDP housing requirements are informed by far more up to date information. It will not be possible to meet the County Borough's future housing requirements without the release of greenfield sites and in light of this, policy PS1 is now outdated and therefore afforded less weight in the determination of planning applications.

Planning Policy Wales (paragraph 9.3.6) advises that new residential development in the open countryside away from established settlements should be strictly controlled. The limited circumstances set out in policy H5 under which new dwellings in the open countryside may be permitted are in general conformity with PPW and therefore in my opinion the policy can continue to afford significant weight.

Sustainability: Paragraph 9.2.8 of PPW advises that when searching for sites to allocate for housing development, local authorities should start by with the re-use of

previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links. Paragraph 9.2.9 advises that when allocating sites for housing, their accessibility by modes other than the car should be taken into account.

Whilst the above advice is primarily applicable to development plan preparation/review, in the absence of a 5 year housing land supply I consider it to also be relevant when assessing individual planning applications, particularly those that depart from UDP policies.

The site is clearly divorced a settlement, being around 2.5km from the edge of Wrexham and just over 4km from Holt. Although not defined as a settlement by the UDP, the dwellings at the northern end of Hugmore Lane have the characteristics of a hamlet/large cluster of houses. However the site is also clearly divorced from it, the continuous built frontage terminating some 500m to the north of the application site.

Whilst the Wrexham Industrial Estate has a settlement limit in the UDP, it cannot be considered as a settlement in the sense of a place where people live or where new housing would be directed. Although there are dwellings within and on the periphery of the Industrial Estate, it is primarily an employment area. The site is in any case also clearly separated from the Industrial Estate.

I accept that the proximity to the Industrial Estate means that the development would provide an opportunity for those who employed by businesses located there to live within walking distance of their place of work. However there are no essential services provided within the industrial estate, such as a local convenience store. The nearest school to the site is St Paul's Voluntary Aided School in Bowling Bank, some 3km away. The next nearest schools are located in Holt or Wrexham.

There are bus stops at the northern end of Hugmore Lane served by Wrexham to Chester (via Holt and Farndon) buses (C56) that are broadly – broadly one bus in each direction every two hours. Bus stops are around 900m from the site and for around two thirds of that distance there are no dedicated pedestrian footways or street lights. Whilst Hugmore Lane carries significantly less traffic than it did prior to the new link road to the Industrial Estate opening, it is nevertheless subject to a 60mph speed limit. In my opinion it is very unlikely that future occupiers would walk from the site to access public transport on Holt Road, indeed it would be unsafe for them to do so, particularly at night.

The Industrial Estate is served by hourly bus services (42) with stops around 750m from the site. Whilst this allow occupiers of the site to travel to Wrexham by non-car means, in my opinion it currently would not be particularly convenient for anyone needing to be in Wrexham before 9am those needing to access a convenience store for top up shopping or to travel to school. Indeed when the timetable for this service is read in conjunction with a less frequent service (13B) it is clear that they primarily are intended to provide access to employees travelling to and from Wrexham to the Industrial Estate.

In light of the above, with the exception of conversion of the brick buildings, the location the site means its development for housing does not accord with advice in paragraph 4.7.4 of PPW that new development be consistent with minimising the need to travel and increasing accessibility by modes other than private car. In that regard it is also does not accord with the advice set out in paragraphs 9.2.8 and 9.2.9 regarding the location of new residential development, despite being previously developed land.

The application is accompanied by marketing evidence that would appear to suggest that the prospects of the site being reused for employment purposes is low, however I do not consider this sufficient reason to grant permission for the development proposed. The UDP does not contain any policies that specifically prevent the site being used for other purposes or indeed alterations to the existing buildings to perhaps make new uses a more viable proposition. However despite the submissions demonstrating that release of the site from its existing use would be in accordance with the advice set out in paragraph 4.6.9, alternative uses for the site must be considered in their own right. The evidence submitted does not overcome other planning policy objections to the development.

I appreciate that two former farm buildings on the adjacent site have recently been converted to residential use. However both local and national planning policy allow for the conversion of rural buildings to other uses, including dwellings. The supporting statement has also referred to two other developments taking place to the north of the site on Hugmore Lane either side of the dwelling Long Meadow. These two developments were considered to be infill plots, and again local and national planning policy make provision for limited infill development. In any case, all of the developments referred to above were considered on their own merits. They are also much smaller in scale. They therefore do not set any precedent for this proposal.

Design:

New Build

There is ribbon development of a suburban character either side of Hugmore Lane however it extends along only a relatively short distance and there is a very large gap between it and the application site that is clearly rural in character with only sporadic development of a scale and character typical to the countryside in the wider County Borough. Notwithstanding its proximity to the Wrexham Industrial Estate, the immediate surroundings of the site are also rural in character.

Despite the fact the site has an industrial character at present, the agricultural heritage of the site and its relationship with Holt Lodge Farm and its former outbuildings is easily discernible. The development would introduce a very urban/suburban form of development that would be significantly at odds with and harmful to the rural character of the immediate locality in terms of density, layout and character. This impression would be emphasised by the large turning head and footways of the estate road.

The layout of the development and the appearance of the dwellings in no way take account of their wider context nor do they reflect or complement the form, scale and

appearance of traditional farm buildings adjacent to them to the extent that their relationship will look rather contrived. Indeed a modern housing estate would appear completely out of context and will harm the setting of the adjacent curtilage listed buildings.

Conversion scheme

Whilst the principle of conversion is acceptable in principle, I have some concerns about the proposals submitted. The lean-to extension to the south of the buildings is described in the Heritage Impact Assessment early to mid-20th century, the Conservation Officer suggests it may well date back to the 19th century. The potential to retain and re-use this does not appear to have been considered in detail, however because the elevation behind it has been largely removed, a significant portion of the southern elevation will be new-build.

No details have been provided to demonstrate how much of the conversion scheme is new-build/reconstruction, although if much of the lower part of the southern elevation is to be new-build, then it will exceed the 10% recommended by LPG3. Nevertheless, the proposals preserve the overall form of the building and do not result in any additional impact upon the wider rural landscape. The bulk of the resulting dwellings will be original rather than new build. Furthermore LPG3 is only guidance and given the need to preserve curtilage listed buildings, I believe a degree of flexibility is appropriate in this instance.

Notwithstanding the above, the resulting southern elevation fails to preserve or enhance the appearance of the building, particularly in terms of the size and appearance of the ground floor openings, which do not reflect the appearance of the better preserved north-facing elevation and therefore detracts from the character of the building.

Amenity: The layout of the development broadly accords with LPG21 in terms of separation distances within the site and to existing neighbouring dwellings. The new build dwellings will also be provided with adequate private garden.

Because only one means of access into to the proposed barn conversions is proposed both parking and garden space is provided to the south. This arrangement means that the garden areas are not private but open to the street scene, thus severely limiting the standard of amenity afforded to the occupiers of 3 out of the 4 dwellings.

I appreciate that one of the barn conversions to the north of the site does not have a fully private garden area, however the normal requirements were relaxed in that case to limit the impact of the development upon the courtyard that it, the other conversion scheme and indeed the north elevation of the buildings subject to this application face onto. In any case, the courtyard is shared with only one other dwelling so significantly fewer passing vehicles or pedestrians will be using it than the estate road proposed by this development.

Policy CLF5 of the UDP requires on-site public open space on new housing developments of 10 or more dwellings. The proposals do not include any such

provision. Whilst the policy and Local Planning Guidance Note 10 recognise that some exceptions can be made for smaller sites, with contributions being sought to provide or improve public open space off-site, I do not consider this approach would be appropriate in this instance. There are no areas of public open space in the locality of the site – the nearest being in Wrexham or Holt, however these are not easily accessible from the site, particularly for children by themselves and for that reason any contributions towards them would not be directly related to the development.

The lack of open space means future occupiers, particularly children, will be left without a space for informal recreation, do the detriment of their amenity. Well designed and located open space could also assist in integrating a redevelopment scheme into its rural surroundings.

Access and Parking: The proposed access will have adequate visibility in both directions.

House (anti-clockwise)	Bedrooms	Parking Provided	LPG16 Maximum
Type B	3	3	3
Type C	2	2	2
Type B	3	3	3
Type B	3	3	3
Type C	2	2	2
Type B	3	3	2
Type A	4	3	3
Type A	4	2	3
Type D1	3	3	3
Type A	4	2	3
Type A	4	2	3
Type D	3	1	3
Barn Conversion	3	3	3
Barn Conversion	3	2	3
Barn Conversion	2	2	2
Barn Conversion	2	2	2
Total	n/a	38	43

Not all of the dwellings have parking provision in accordance with the LPG16 maximum, however I do not believe this provides a valid reason for refusal. Three communal spaces are proposed which partly off-sets any on-plot deficit. There is also sufficient space within the frontage of the D house type to provide additional parking if needed – the occupiers being able to provide a hard surfaced area under permitted development rights. In any case, a limited amount of on-street parking within the development is unlikely to significantly harm access to the site or prejudice highway or pedestrian safety given the comparatively limited volume of traffic that is likely to use the estate road.

Highways have requested the footway be extended along the northern side of the existing access. I consider this to be unnecessary. Indeed given the lack of footways in the immediate vicinity of the site, I consider the provision of footways anywhere within the scheme to be unnecessary in this instance.

Drainage: The Flood Officer has commented that porosity tests be carried out prior to determination of the application. Whilst these tests will be necessary to establish if the site is suitable for soakaway drains, the fact that, as far as I am aware, tests have not been carried out is not a valid reason for refusal. The development will reduce the hard surfaced area within the site and therefore reduces the risk of on-site or off-site surface water flooding, irrespective of whether soakaways or another method of surface water drainage are used. A detailed drainage scheme could be required by planning condition.

Ecology: The buildings have been assessed for the presence of bats. No evidence was found and therefore the development is unlikely to adversely impact upon bat species.

Great Crested Newts are present in the locality and whilst the development will not result in the loss of GCN habitat, a scheme of Reasonable Avoidance Measures would need to be implemented before and whilst site works are taking place. This could be secured by condition.

Trees: The double row of poplars, identified as G1, located to the eastern boundary are shown to be included within gardens at distances of 12.0 – 16.0m from dwellings and within 3.0m of garages. The tree officer is concerned that this may lead to concerns from occupiers resulting in pressure to remove the trees. The trees are of merit, I consider it unlikely that all are necessarily at risk of removal. In any case the trees clearly reinforce the impression of this being an artificially created boundary that stands out in the wider landscape. This impression may be reduced if some trees were removed and additional or alternative landscaping provision. I do not consider the proximity of four dwellings to the poplar trees justifies refusal in this instance.

Protection measures will be required to ensure that the trees in the eastern and southern boundaries and the hedgerow along the latter are protected during construction. This could be secured by condition.

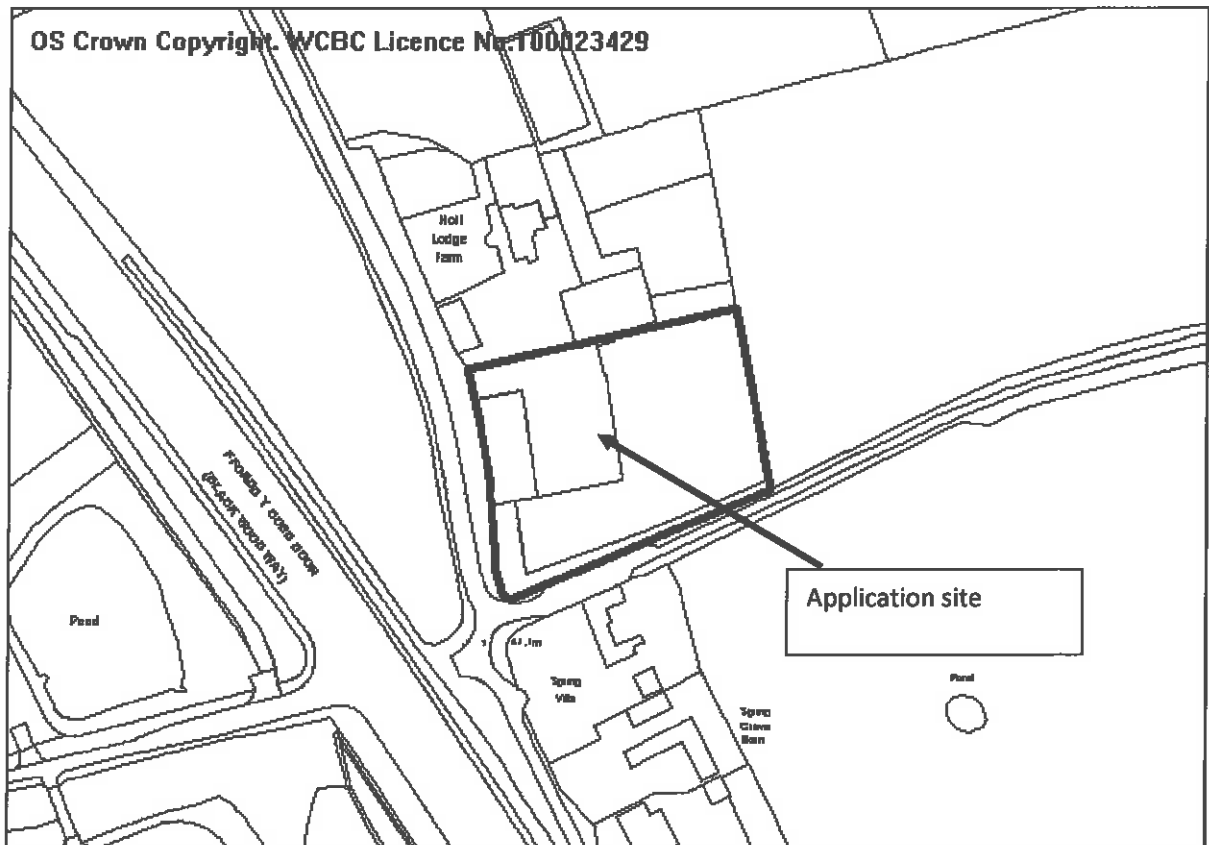
CONCLUSION

The development is conflicts with policies PS1 and H5 and despite the need to increase the supply of land available for housing this is considered an unsustainable site for residential development.

The proposed development will harm the rural character of the locality and will harm the character of curtilage listed buildings, as such it does not accord with policies GDP1 and EC9 of the UDP.

SITE

The site is located at the junction of Hugmore Lane and Francis Lane and is occupied by a range of traditional brick farm buildings that adjoining modern former farm buildings converted to industrial use. The majority of the remainder of the site is hard surfaced.



PROPOSAL

Listed building consent is sought for the demolition of modern farm buildings and brick lean-to buildings to the rear of a range of brick former farm buildings as well as works to facilitate the conversion of those buildings to 4 dwellings.

HISTORY

6/18110 Conversion of redundant farm outbuildings into mail order motor factors, alteration to existing vehicular and pedestrian access and installation of septic tank. Refused 11.6.1990

6/18557 Conversion of redundant farm buildings into mail order motor factors, alteration to vehicular access and installation of septic tank. Granted 8.10.1990

P/2014/0232 Change of use to dwelling. Withdrawn.

NATIONAL PLANNING POLICY

Planning Policy Wales (Edition 9)

Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas

DEVELOPMENT PLAN

The traditional brick farm buildings are curtilage listed due to their historic association with Holt Lodge Farm, a Grade II listed building. Policy EC9 applies.

CONSULTATIONS

Community Council:	Consulted 16.12.16
Local Member:	Happy for application to be dealt with as a delegated refusal.
CPAT:	Recommends photographic survey.
Ancient Monument Soc:	Consulted 16.12.16
CfBA:	Consulted 16.12.16
The Geogrian Group:	Consulted 16.12.16
Victorian Soc:	Consulted 16.12.16
SPAB:	Consulted 16.12.16
DHS:	Consulted 16.12.16
Site Notice:	Expired 11.1.17
Press Notice:	Expired 28.1.17
Neighbours:	The owners/occupiers of 5 neighbouring properties notified 20.12.16.

SPECIAL CONSIDERATIONS

The demolition of the modern buildings is not a matter of concern and this, along with a sympathetically designed conversion scheme, presents an opportunity to enhance the traditional farm buildings (currently in use as offices) and in doing so, the setting of Hugmore Farm.

The lean-to extension to the south of the buildings is described in the Heritage Impact Assessment early to mid-20th century, however the Conservation Officer suggests it may well date back to the 19th century. The potential to retain and re-use this does not appear to have been considered. Because the elevation behind the lean-to extension has been largely removed, a significant portion of the southern elevation will be new-build.

I am not convinced that the proposals are the most appropriate scheme for the re-use of the buildings. The proposed southern elevation detracts from the character of the building due to the size and appearance of the ground floor openings, which do not reflect the appearance of the better preserved north-facing elevation.

The overall design approach to the conversion scheme appears to be significantly influenced by the proposals to develop the remainder of the site, rather than bringing

forward a high quality conversion scheme and then considering how best to develop the rest of the site in a complementary manner.

CONCLUSION

The works associated with the proposed conversion of the listed former agricultural buildings to dwellings will prove harmful to their character and do not accord with policy EC9 of the UDP.

Appendix Three
Residential appeal decisions
in Wales.

Resume of appeal decisions relating to housing land supply.

1. Glyn Farm, Colwyn Bay – APP/T6905/A/12/2178621.

Proposal for 39 dwellings on greenfield land beyond the settlement boundary. The most recent JHLAS concluded that Conwy had less than a five year housing land supply. The Inspector noted that, notwithstanding the fact that the site was outside the settlement boundary, it was agreed by the Council (para 17) that the proposal conformed to the development plan and basic development control principles and, consequently, as there was a shortfall in housing land and no planning harm, permission should be granted (para 21).

2. Church Road, Llanederwyn, Cardiff – APP/Z6815/A/11/2160990

The Council did not have a five year land supply which the Minister considered to be “highly unsatisfactory”. The Minister noted that the proposal would be in conflict with a range of local plan policies (para 10), but concluded that *“it would be appropriate to attach considerable weight to the need to increase the supply of housing land, and to the social and economic benefits of the proposed development. I take the view that these are compelling considerations that should outweigh the conflict with development plan policies..”* (para 56).

3. Cwmgelli, Blackwood, Caerphilly – APP/K6920/A/15/3137884

Outline application for residential development on land that was outside the settlement and also in the Green Wedge, the Inspector noted that the development was inappropriate development in a green wedge that should only be granted in very exceptional circumstances. The Inspector noted that the site was in a sustainable location and would not cause unacceptable harm to its surroundings and that: *“there is an overriding need for this development and these factors combine to constitute the very exceptional circumstances to outweigh the conflict with national and local policies..”* (para 20)

4. Old Hall Road/Greenhill Avenue, Ewloe – APP/A6835/A/14/2220730

Proposal for 41 dwellings adjacent to, but outside, the settlement boundary, the Inspector noted a range of UDP and National policies with which the proposal was in conflict (paras 4, 10 and 11). The Council did not have a five year land supply and the Inspector concluded that: *“...the benefits of the scheme outweigh the conflict with the development plan and one aspect of national planning policy and the balance clearly falls in favour of allowing the appeal such that the limited loss of Grade 3a land is not unacceptable.*

5. Issa Farm, Mynydd Isa – APP/A6835/A/15/3137719

Proposal for 59 dwellings in the open countryside, the Inspector concluded, however, that the development would not represent a significant encroachment into the surrounding countryside (para 15). The LPA did not have a five year land supply and the policy which sought to generally restrict development outside settlement boundaries in the countryside *"no longer has currency"* and was outweighed *"by the need to increase housing supply, including affordable housing, the lack of harm to the character and appearance of the surrounding area and the presumption in favour of sustainable development"* (para 18).

6. Milwr Farmhouse, Milwr – APP/A6835/A/15/3139343

Proposal for a single dwelling on a site outside the settlement boundary. The proposal was not in accordance with policy looking to control development in the countryside, however, there was not a five year land supply and the Inspector attached considerable weight to the need to increase supply (para 11) and on the basis that there was no identified harm to the character and appearance of the area and that the location was in accordance with sustainable development principles, a decision other than in accordance with the development plan was justified (para 14).

7. Rear of Maes y Goron, Lixwm – APP/A6835/A/15/3130252

Proposal for a single dwelling outside the settlement, the Inspector noted that the proposal did not accord with the development plan (para 5). However, there was not a five year land supply and, as there would not be any definable harm to the countryside and the site was in a sustainable location, a decision other than in accordance with the development plan was justified (para 10).

8. Rhos Road, Penyffordd – APP/A6835/A/16/3149082

Proposal for up to 40 dwellings on land outside, but adjoining the settlement. The Inspector noted that the proposal would not be in accordance with development plan policy because it was outside the settlement boundary, but it was in a sustainable location and in the absence of a five year land supply, the proposal would meet an urgent need for housing, as well as bringing economic benefits and providing affordable housing (para 18). Accordingly, the Inspector concluded that the benefits of the proposal outweighed the conflict with the development plan (para 19).

9. Chester Road, Broughton – APP/A6835/A/16/3143624

Proposal for 36 dwellings on land outside the settlement boundary. The Inspector noted that the proposal was contrary to a number of policies in the UDP, but having regard to the housing land supply position, she concluded that *"the benefits associated with the development would significantly and demonstrably outweigh the modest harm that would*

arise, in this instance, from the incursion into the countryside” (para 24).

10. Parc Sychnant, Conwy – APP/T6905/A/16/3148027

An application for 93 dwellings on land outside the settlement boundary. In noting the housing land shortfall the Inspector stated that *“Whilst I accept that the proposed residential development of land outside the settlement boundary is not supported by policies HOU/1 and HOU/2 of the LDP, the lack of a five year housing land supply carries significant weight in favour of the appeal”* (para 45). Accordingly, notwithstanding the conflict with adopted development plan policies, the Inspector granted planning permission.

11. North of Pandy Road, Bedwas, Caerphilly – APP/K6920/A/15/3136679

A proposal for up to 300 dwellings on land which was outside the settlement boundary which, the Welsh Ministers noted, was not in accordance with the development plan. However, the LPA did not have a five year housing land supply and attached ‘considerable weight’ to this factor. The Inspector concluded (para 50) that the proposal constituted sustainable development and would not conflict with development plan policies that sought to protect, conserve, enhance and manage the valuable features of the natural and built environment, therefore, the conflict with the development plan was outweighed and planning permission granted. The Welsh Ministers agreed and granted planning permission.

12. Home Farm, Gresford Road, Llay, Wrexham – APP/H6955/A/16/3147116

An application for up to 365 dwellings and a retail unit on land outside the settlement limits. The Welsh Ministers noted that the LPA accepted that there was an “acute” need for additional dwellings (para 10) and that the LPA acknowledged that settlements limits would need to be redrawn to meet housing needs, consequently, the settlement limits in the UDP were, therefore, outdated (para 14). On the above basis, given the need for additional housing land, the policies directing development to locations within settlement limits were of limited weight and, consequently, permission was granted for the development which was otherwise considered to be sustainable.

Appendix Four

Pre-application correspondence.

Head of Community Wellbeing and Development
Pennaeth Adran Lles Cymuned a Datblygiad
Lawrence Isted

16 Lord Street, Wrexham, LL11 1LG
16 Stryt yr Arglwydd, Wrecsam, LL11 1LG
Tel/Ffon: 01978 298994 Minicom: 01978 292067
www.wrexham.gov.uk www.wrecsam.gov.uk



MR MATTHEW GILBERT
THE PLANNING CONSULTANCY

By email: mcgilbert@btconnect.com

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

ENQ/2016 /0011
12/02/2016
Matthew Phillips
01978 298780
matthew.phillips@wrexham.gov.uk

Dear Sir,

Town and Country Planning Act 1990

PROPOSED RESIDENTIAL DEVELOPMENT
APP CHEM PREMISES HUGMORE LANE, WREXHAM, .

I refer to your enquiry for the above proposal. All information listed below is made based upon the information contained as part of your enquiry;

National Policy:

Planning Policy Wales

Technical Advice Note 1: Joint Housing Land Availability Studies

Technical Advice Note 6 – Planning for Sustainable Rural Communities

Technical Advice Note 12 - Design

Technical Advice Note 18 – Transport.

Development Plan policies:

Wrexham Unitary Development Plan (UDP).

Strategic Policies – Broad Location of Development.

PS1

PS3

Specific Policies

GDP1 General Development Principles

EC4 Hedgerows, Trees and Woodland

EC6	Biodiversity Conservation
CLF5	Public Open Space
H3	Conversion of Building Outside Settlement Limits
H5	Housing in the Countryside.
T8	Parking.

Local Planning Guidance Notes:

LPG3	Converting Rural Buildings
LPG13	Housing in the Countryside
LPG16	Parking Standards
LPG21	Space Around Dwellings.
LPG27	Developer Contributions to Schools

Community Council contact details:

Holt Community Council
 Mrs J Peirce (Clerk)
 142 Borrass Road
 Wrexham
 LL13 9ER

Local Member(s) contact details:

Councillor Michael Morris
 Denvera
 Sun Lane
 Bowling Bank
 Wrexham, LL13 9RW
 Email: michael.morris@wrexham.gov.uk

Validation information:

Three copies of the following required:

Application forms

Site location plan

Block plan

Flood Plans and Elevations

Arboricultural Impact Assessment

Ecology Assessments(s) and mitigation proposals.

Design and Access Statement. From 16 March Design and Access Statement will only be required for applications for major development. Please refer to Article 9 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

If an application is submitted after 1 August 2016 that constitutes major development, as defined in the Town and Country Planning (Development Management Procedure) Order 2012, please note that there will be a mandatory requirement for the applicant to have carried out pre-application consultations. The application will need to be accompanied by a pre-application consultation report in order to be valid. Please refer to Article 4 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Developer Contribution Requirements:

Contributions towards primary education provision and secondary education may be required.

Public open space on site if 10 or more dwellings are proposed.

Views of officer:

The site lies outside of a settlement limit as defined by the Wrexham Unitary Development Plan (UDP). The policies of the UDP strictly control new residential development outside of settlement limits and only permit it in a limited number of situations:

- Conversion of suitable (generally traditional) buildings to dwellings (policy H3 refers)
- Subdivision of existing dwellings (policy H4 refers);
- Infill of a small gap within an otherwise well developed frontage with no more than 2 dwellings (policy H5 refers);
- where there is an essential need to house an employee of a rural enterprise on or close to their place of work;
- Affordable housing (up to 5 dwellings) on land adjoining a settlement (policy H8 refers).

The proposals do not involve the subdivision of an existing dwelling nor are they intended to provide accommodation for a rural enterprise worker therefore ii) and iv) are not applicable. Based on the details submitted I assume the development will not provide affordable housing. In any case a total of 7 new build properties are proposed on a site that does not adjoin a settlement so v) is not applicable. I will therefore comment on the proposals in more detail in light of i) and iii) as well as other relevant material considerations.

Conversion

The conversion of the existing brick buildings adjacent to the northern western boundary of the site would be broadly in accordance with policy H3 provided it can be demonstrated that they are capable of conversion without extensive rebuilding/reconstruction works.

The buildings are part of a larger range of former agricultural buildings associated with the Grade II listed Holt Lodge Farm. As a result the buildings are curtilage listed. Their conversion to residential use will help to enhance and preserve the setting of Holt Lodge Farm. The design approach taken to the north-west facing elevation would help ensure that the appearance of the buildings maintain a reasonable degree continuity with the buildings to north which are in the process of being converted to two dwellings. I am however concerned that the number and the size of the roof lights proposed for the north-west facing roof slope will detract from the appearance of the building and therefore suggest these features are reconsidered.

The design approach taken to the south-east and north east facing elevations results in a rather bland appearance. Whilst I appreciate that appearance of the former elevations are currently

compromised by the adjoining modern industrial buildings and both elevations are less important to the setting of Holt Lodge Farm, the proposals nevertheless fail to enhance the appearance of the buildings or the setting of the listed building. In my opinion the design approach taken to the elevations should therefore be reconsidered.

Proposed new-build dwellings

Policy H5 of the Wrexham Unitary Development Plan does not make any provision for the redevelopment of industrial sites located in the countryside for residential use. The policy does allow for infill development but despite there being development to the north and south of the site it does not constitute a small gap within an otherwise well-developed frontage. As such I do not consider the site to be an infill plot. There are no other applicable UDP policies that would allow for the redevelopment of the site.

In addition to the above, the proposed layout of the site would result in a very suburban form of development that would detract from the rural character of the locality.

Housing Supply

Planning Policy Wales requires Local Planning Authorities to ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing. The most recent Joint Housing Land Availability Study (JHLAS) (2014) found that Wrexham has a housing land supply of 3.1 years.

The recently updated Technical Advice Note (TAN) 1 advises that the results of the JHLAS should be treated as a material consideration when determination planning applications for housing. However it also advises that where a local planning authority does not have an adopted Local Development Plan or where an adopted UDP is outside of the plan period, they will not be able to produce a JHLAS and therefore will not be able to demonstrate whether they have a 5 year housing land supply or not. Because the UDP plan period expired in 2011 Wrexham is now unable to demonstrate whether it has a 5 year housing land supply.

Whilst the need to increase supply should be a factor that weighs in favour of the proposal, developments must still comply with development plan and national planning policies.

Despite the fact that the UDP plan period expired in 2011 it remains the operational development plan. The policies within the UDP dealing with location of housing development remain broadly consistent with Planning Policy Wales so they can continue to be afforded significant weight.

I recognise that the development will bring about benefits both in terms of increasing the supply of land available for housing as well as removal of industrial buildings that arguably detract from the setting of a listed building. However I do not consider these benefits outweigh the conflict with UDP policies in this instance.

Nature of the application

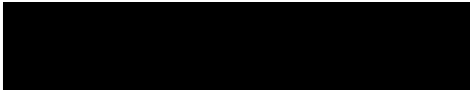
Given the comments made above about erection of new dwellings if your client is minded to pursue that part of the proposals I would suggest that two separate planning applications are submitted – one for conversion of the buildings adjoining the north-western boundary and the other for redevelopment of the remainder of the site.

Conclusion

Whilst I have no objection in principle to the conversion of the buildings adjacent to the north-western boundary of the site I am not prepared to support a formal planning application for residential development on the remainder of the site.

I trust the above is of assistance however you should note that my comments are made without prejudice to any formal decision of the Council.

Yours faithfully,

A solid black rectangular box used to redact the signature of the Head of Community Wellbeing and Development.

Head of Community Wellbeing and Development

19th January 2016

Planning Service
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Dear Sir

Re: Pre-application advice – proposed residential redevelopment of App-Chem premises, Hugmore Lane, Wrexham. LL13 9YE.

We act on behalf of the owners of the above property.

Our Clients, App-Chem Ltd are looking to move to alternative premises more suited to their needs within the immediate locality, however, in order to do this they need to secure an alternative use for this site which, in the circumstances, we consider to be most suited to residential use.

The premises have in fact been marketed since 2011, but no purchaser has been found – see attached marketing report.

We are aware that the Council has less than a five year housing land supply, the implications of which are that “considerable weight” (TAN1) should be attached to improving the supply when dealing with residential proposals. Furthermore, since the Link Road to the Industrial Estate has been constructed, Hugmore Lane has been separated from the Industrial Estate and has taken on a much more residential character, and several recent planning permissions for residential development have demonstrated that it is now viewed as a suitable location for residential development by yourselves.

We hope you will be able to confirm that in all of the above circumstances, the principle of residential redevelopment of the above site is acceptable.

We are aware that the brick built buildings along the northern boundary of the site are listed by virtue of them being former curtilage buildings to the adjacent New Holt Lodge Farm. Whilst the buildings have been considerably extended and altered during the course of their life, our proposal would be to remove the extensions, constructing a new ground floor southern elevation (the original wall has been removed), but, most importantly, retaining the original northern elevation to New Holt Lodge Farm – see the existing and proposed plans and elevations for these buildings.

We have had an ecological assessment of the site carried out, whilst there is still a need to undertake a bat emergence survey at the appropriate time of year, in all other respects the work has identified no ecological significance on the site that might prevent development – see ecological study, together with subsequent badger and bat reports.

We have also had an arboricultural report undertaken, this has enabled us to identify the root protection areas for the trees which are located around the boundaries so as to ensure that development does not encroach within these areas – see arboricultural report and associated plan.

We have prepared draft plans for the redevelopment. This illustrates the conversion of the brick built barns into four dwellings and then a further seven detached dwellings being provided on the remainder of the site following the demolition of the other buildings - see proposed layout and plans and elevations.

We are looking for your comments and advice in relation to all aspects of our proposal:

1. The principle of residential redevelopment.
2. The design approach generally, including the detailed design proposed for the listed buildings.
3. The nature of the application to be submitted – we recognise the need to submit the proposals for the barn conversion in detail, these needing to be for planning and listed building consent, but as it would not be our Clients intention to develop the site themselves, they would prefer to deal with the rest of the site in outline. Would this kind of 'hybrid' approach be acceptable to yourselves and how would the fees be calculated.
4. Together with a planning and design and access statement, and the additional bat survey (which we would look to submit subsequent to the application itself, when the bats are flying again), are you happy with the supporting information that we have, so far, assembled or is there additional information that you would also require?

We would be happy to attend a meeting to discuss our proposals in more detail and if you would like to visit the site in order to understand our proposals more clearly, then please contact us.

Yours faithfully

A black rectangular box redacting the signature of Matthew Gilbert.

M GILBERT

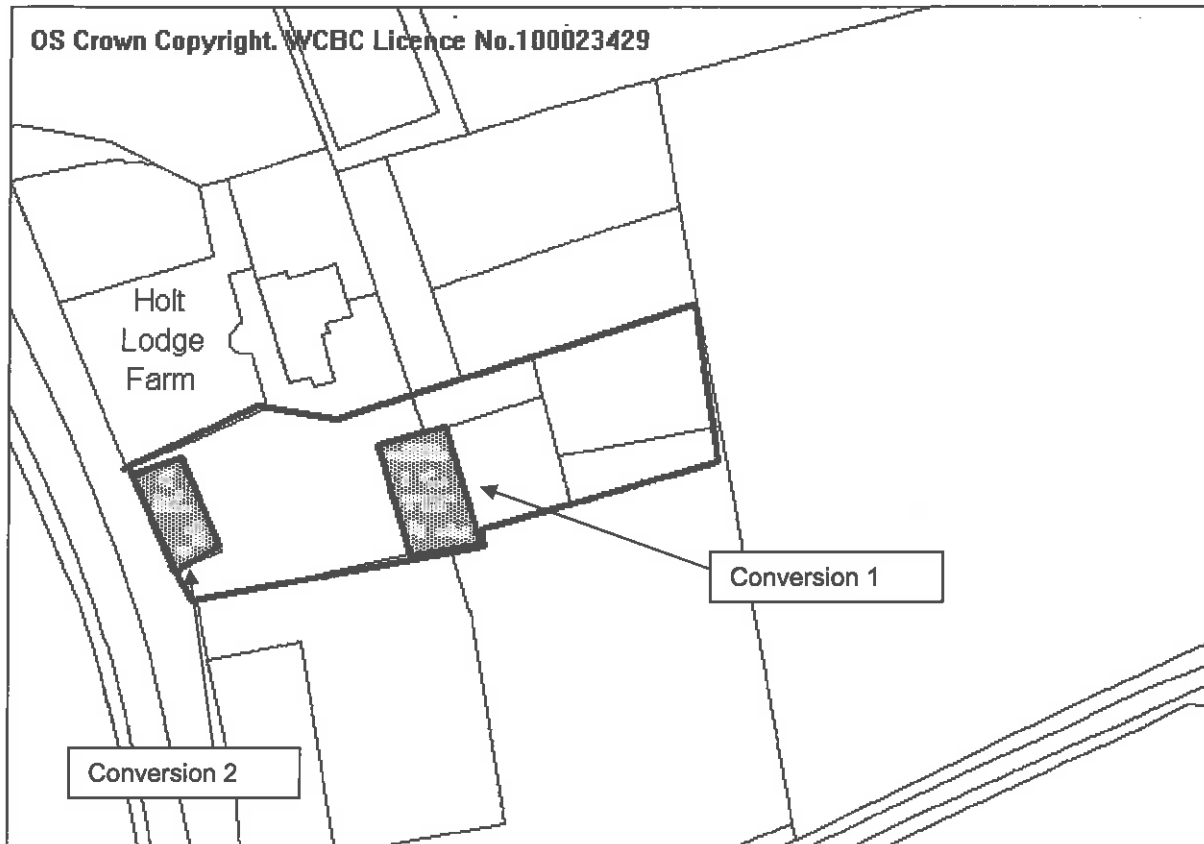
Appendix Five

Officer's report in relation
to Holt Lodge Farm.

P/2014/0511

Matthew Phillips

SITE



PROPOSAL

Conversion of agricultural buildings to form no. dwellings and associated landscaping and parking provision.

HISTORY

P/2014/0510 LISTED BUILDING CONSENT FOR CONVERSION OF AGRICULTURAL BUILDINGS TO FORM 2. NO DWELLINGS (C3) AND ASSOCIATED LANDSCAPE AND PARKING PROVISION. *Separate report on SX3*

Conversion 2

P/2002/1292 Conversion of existing farm building into 4 no. self-catering holiday units. Granted 8.9.2003

P/2003/0028 Listed Building Consent for conversion of existing farm building into 4 no. self-catering holiday units. Granted 6.10/2003

Holt Lodge Farm

P/2014/0296 ALTERATION TO EXISTING ACCESS, PROVISION OF DRIVEWAY AND RESURFACING OF PARKING AREA. Granted 18.6.14

DEVELOPMENT PLAN

Outside of settlement. Policies GPD1, EC6, H3 and T8 apply. The buildings lie within the curtilage of Holt Lodge Farm, a Grade II listed building and are classified as curtilage listed. As such policy EC9 also applies.

CONSULTATIONS

Community Council:	Consulted 18.7.14
Local Member:	Notified 18.7.14
Public Protection:	Recommends advisory note regarding agricultural contamination.
Highways:	Recommends conditions
Welsh Water:	Consulted 18.7.14
NRW:	Consulted 18.7.14
CPAT:	Recommend condition requiring a photographic survey be carried out before development commences.
Site Notice:	Expired 15.8.14
Neighbours:	The owner/occupier of the adjoining property notified 24.7.14.

SPECIAL CONSIDERATIONS

Policy: The conversion of buildings in the countryside to dwellings is permitted by policy H3 provided that:

a) in the case of agricultural buildings, there is no longer an agricultural need and alternative non-residential uses have proved inappropriate; and

Both buildings (described as Conversion 1 and Conversion 2 on the site layout plan) agricultural buildings have previously been used for agricultural purposes, forming part of Holt Lodge Farm.

Conversion 1 has partly been used in conjunction with the adjacent light industrial/office site. It also has two comparatively modern extensions, one used for agricultural purposes the other also last used in conjunction with the adjacent site.

Conversion 2 does not appear to have been used intensively for agricultural purposes for a number of years, indeed it appears to have been used for domestic storage in recent years.

The use of the buildings for other purposes does not appear to have been considered, however it is clear that those parts of Conversion 1 used in conjunction with the adjoining light industrial use are now redundant.

The site lies a short distance from the Wrexham Industrial estate where the availability of both vacant land and purpose built industrial units means that the site is likely to prove unattractive for industrial uses in comparison. This fact that the buildings lie within the curtilage of a listed building means they will be far more constrained to adapting the buildings to meet the requirements of an industrial user than premises on the nearby industrial estate.

Whilst conversion to office use may be more feasible than to industrial use, there are purpose built premises available on the industrial estate and in Wrexham which are better located.

In light of the above I am satisfied it is unlikely that the site will prove attractive for non-residential uses

b) the building is structurally sound and capable of conversion without extensive rebuilding tantamount to the erection of a new dwelling; and

The buildings are structurally sound and in reasonably good state of repair. Whilst both buildings require repair to localised sections brick work, both are capable of conversion without extensive rebuilding.

c) any inherent characteristics of merit in the building are retained; and

The development will not result in significant alterations to the buildings. Existing door and window openings will be re-used and in the case of Conversion 1 a former large doorway opening that has been partially bricked up will be re-opened.

The major alteration to Conversion 1 will be the removal of the modern light industrial/office and agricultural buildings to expose part of the original rear/western elevation. A new lean extension of a contemporary design will project from the remainder of the elevation. The general form and scale of the extension respects that of the main building whilst enabling a clear contrast between old and new to be made.

One of the main features of the site is the open courtyard between the two buildings. Sections of this area are to be re-surfaced with granite setts used to define the extent of the curtilage of Conversion 2 and gravel used within the curtilage itself. No permanent boundary screening is provided for the curtilage of Conversion 2 thus ensuring the openness of the courtyard is preserved.

The proposed conversion scheme will preserve the setting of the listed building.

d) the proposed dwelling and the resulting curtilage does not constitute an undesirable intrusion into the landscape, create access problems, nor require the provision of services at public cost; and

The curtilage of Conversion 1 will extend to a logical existing boundary and will therefore not represent an undesirable intrusion into the rural landscape.

Conversion 2 will have a far more limited curtilage that, as noted above, has been designed to preserve the openness of the courtyard. In any case, the courtyard is entirely enclosed by buildings and is not readily visible from outside of the site and therefore does not represent an intrusion into the countryside.

Visibility from the site access is adequate in both directions. The access is suitably wide to cater for the anticipated level of traffic and adequate provision of parking is made.

Highways have requested conditions be imposed to require the site access to be 4.1m wide and to prevent gates being erected within 5 metres of the highway boundary.

No alterations to the access, which is already 4.1 metres wide, is proposed therefore imposing a condition requiring the access to be that wide is unnecessary.

Hugmore Lane is lightly trafficked therefore vehicles waiting on the highway whilst a gate is opened or closed will not impact upon the free flow of traffic. In any case the site forms part of the curtilage of a listed building and in accordance with paragraph A.1(d) of Part 2, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, is not permitted development. As such the Council will have control over there erection of all means of boundary treatment.

e) the floor plan of the existing building is sufficient to create a habitable dwelling.

Both buildings are large enough for conversion to dwellings.

Curtilage of Conversion 2: As noted above, because of the need to retain the open character of the courtyard, no formal boundary treatment is proposed to enclose the curtilage of the dwelling – the extent of the curtilage being defined by granite setts.

This arrangement means that the dwelling will be provided with an adequately sized curtilage but one that does not benefit from the same degree of privacy as would normally be expected and will be overlooked from Conversion 1, Holt Lodge Farmhouse as well as the buildings to the south. Nevertheless a limited degree of screening will be provided by cars parked in the parking spaces and an existing planter.

This arrangement will be apparent to any prospective purchasers and therefore the dwelling is unlikely to prove attractive to someone who is seeking a property with a private garden area. Nevertheless this arrangement is not one that I would want to support on a regular basis otherwise it could lead to developments that do not provide occupiers with a substandard degree of amenity. However in this particular case the constraints of the site are such that an exception is justified.

The subdivision of the courtyard by way of walls or fences would detract from its character and as such harm the setting of the adjacent listed building (Holt Lodge Farm). However preventing conversion because a private garden area cannot be provided for Conversion 2 also means that it will prevent the building being put to a beneficial alternative use. If the building is in regular use it is far more likely to be subject to regular maintenance and less likely to fall into disrepair. If the building were to fall into a state of disrepair this would also be detrimental to the setting of Holt Lodge Farm.

Ecology: The application is accompanied by reports that recommend a scheme of mitigation measures is implemented in respect of bats, including the provision of compensatory habitat in respect of bats. A scheme of reasonable avoidance measures is also proposed in respect of Great Crested Newts – which are known to be present in the area. The implementation of these measures should ensure that the favourable conservation status of those species is maintained.

Amenity: The site adjoins a site that is in use for light industrial/office purposes. However the site does not generate significant levels of noise and in any case, both office and light industrial uses are compatible with residential uses.

The adjoining site has a separate vehicular access and parking/servicing areas from the application site. The latter are screened from the application site by a brick built former agricultural building that forms part of the adjacent site. A substantial brick wall will also be retained between the boundary of Conversion 1 and the adjacent office/light industrial site will also be. As such I am satisfied that the continued use of the adjoining site is unlikely to prove prejudicial to the standard of amenity afforded to the occupiers of the proposed development.

Conclusion: The development accords with the relevant UDP policies.

Appendix Six

Appeal decision: Bryn Lane, Isycoed.



Penderfyniad ar Apêl

Appeal Decision

Gwrandawriad a gynhaliwyd ar 14/11/06

Hearing held on 14/11/06

gan/by David Wilks BSc(Hons) DipEM MRTPI MCMI FRSA

Arolygydd penodwyd gan Cynulliad
Cenedlaethol Cymru

an Inspector appointed by the National
Assembly for Wales

Dyddiad/Date 06/12/06

Appeal Ref: APP/H6955/A/06/1199360

Site address: 2 Little Bryn Farm, Bryn Lane, Isycoed, Wrexham LL13 9UY

The National Assembly has transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr T Burke against the decision of the Wrexham County Borough Council.
- The application (ref: ISY P/2005/1187) dated 6 October 2005, was refused by notice dated 30 January 2006.
- The development proposed is the conversion of redundant farm buildings to provide 3 residential units with garaging, and alterations to existing access.

Summary of Decision: The appeal is allowed.

Site location and summary of appeal cases.

1. The site lies within the extensive Wrexham Industrial Estate. No. 2 Little Bryn Farm is a 2 storey dwelling adjacent to the range of redundant farm buildings which are proposed for conversion to 3 dwellings. To the east, the site has access onto Bryn Lane, opposite a haulage depot; to the north is a field with a fuel depot beyond; to the west is disused grassland extending to the rear of storage and commercial premises on Abbey Road; and to the south No.2 is attached to another dwelling at 1 Little Bryn Farm.
2. The Council point out that and that there are several industrial premises within 150m of the appeal site and it is also close to 3 sites allocated for employment use in the adopted Unitary Development Plan (UDP). They consider that any residential development of the appeal site would be likely to suffer undue disturbance from noise, both in the homes and in the gardens.
3. The noise survey undertaken for the appellant showed daytime noise to be within exposure category C as defined in TAN11, where development should not normally be given permission, and night time noise in category B. The Council believe there is no proven need to develop the site for housing and there are more suitable sites elsewhere. They add that the presence of housing on the appeal site could lead to restrictions being sought on future industrial proposals. In response the appellant contends that there is no policy barrier to development of the site which uses previously developed land and that



suitable noise mitigation measures can be applied to ensure there is no undue disturbance.

Main issues.

4. The main issues are, first, whether the living conditions for the proposal would be unacceptable due to noise and disturbance; and second, having regard to UDP policies, if the proposal would prejudice the proper development of the surrounding Wrexham Industrial Estate.

Analysis and Conclusions.

5. In respect of the first issue, I note the Council's suggestion that there are quieter sites available elsewhere for housing and that it is not essential for the appeal site to be used for residential purposes, but this does not mean that the proposal cannot be treated on its own merits. Also, the occupier of 1 Little Bryn Farm indicates that they only suffer from the occasional disturbance from noise and that they find their standard of amenity is adequate.
6. The appellant has undertaken a noise survey to assess the potential impact on the amenity of the occupiers of the new dwellings and the Council accept its technical findings and the attenuation levels provided by the proposed means of mitigation. The survey found that average daytime levels were in NEC 'C' [65dB(A)] and night-time levels within NEC 'B' [57dB(A)].
7. The original proposal was amended as a result of the noise survey and the fact that the main noise sources arise from industry some distance to the rear of the site and traffic noise at the front using Bryn Lane. No bedroom windows, other than a single one at the rear of unit 2, face to the front or rear and they would meet the WHO target of 30dB for bedrooms. In the case of the single rear window it would be close to the target anyway, but fitting it with double glazing would ensure it was achieved. I conclude that there is no sustainable objection to the development on grounds of night-time noise. With regard to other rooms, the WHO standard for habitable rooms which are not bedrooms is 35 – 40dB(A). This can be achieved in the development with use of double glazing. It is my conclusion that with suitable double glazing the noise levels could be sufficiently attenuated within the proposed conversions to provide acceptable living conditions.
8. I appreciate that the external environment experiences a general level of disturbance from various noise sources, but I am sure that any occupiers of the conversions would not expect a quiet environment given the obvious character of the surrounding estate. The garden associated with the site has an average noise level of 65.9dB(A) compared to the WHO outdoor guideline of 55dB. However, the appellant suggests that a 1.8m boundary wall would reduce noise by 10dB at least and a higher wall would improve on this. I consider this would provide sufficient compensation to enable reasonable enjoyment of the outside space to take place.
9. Turning to the second issue, it should be noted that policy PS1 of the UDP states that new development for both housing and employment will be located within defined settlement limits. Policy H2 then allows for residential development on unannotated land within settlement limits. Wrexham Industrial Estate is defined as a settlement and although it is largely an area of existing business and industrial premises and has a further 65ha of allocated employment land awaiting development I can find nothing in the UDP which suggests it should be treated differently to other settlements. It follows

that there is no objection in principle arising from the development plan to residential development of the appeal site.

10. With regard to possible future expansion or changes to existing premises around the appeal site or development of other unannotated land, policy E4 states that employment uses will be permitted, subject to policy GDP1. Paragraph 7.10 states that such proposals must not prejudice existing amenity by reason of noise, vibration, smell, safety, health or traffic generation. It then goes on to indicate that conditions and agreements would be used to protect the amenities of existing residents if there were any adverse changes in the nature of businesses being carried on. In this case there are already dwellings next to the appeal site and also nearby at Bryn Cottages, so regard would have to be had to their amenity in terms of policy E4, irrespective of whether the appeal proposal went ahead. I do not accept the fact that the proposal would add to that existing number of dwellings makes any difference in that respect.
11. Policy GDP1 sets out criteria for all new development. This includes item f) which seeks to ensure that the safety and amenity of the public is safeguarded and the environment protected from adverse effects of, among other things, noise. Of course this applies to the appeal proposal, but as indicated above would equally apply to any future employment development approved near the site under policy E4.
12. I appreciate the Council's concern about prejudice to the future use of the adjacent land and allocated employment sites, but far from precluding the appeal proposal the foregoing policies actually cater for it. Also, there appear to be few truly Class B2 industrial premises in the area, compared to Classes B1 and B8 uses. By definition Class B1 could be placed next to housing without unduly harming amenity and there is no evidence to suggest that the land near the appeal site is required specifically for general industry. Also, according to the appellant's evidence, at current take-up rates the County Borough has a 70 year supply of employment land to meet future needs.
13. A further factor is the relationship of the 3 new units to 1 and 2 Bryn Lane, with some of the buildings to be converted being attached to No. 2 and also the access through the site being used by both dwellings. I consider this situation makes it preferable to convert the old farm buildings to residential rather than a commercial use which would probably give rise to inconvenience and disturbance to the residential occupiers.
14. It is my overall conclusion that, subject to the imposition of conditions, the proposal would not result in living conditions which are unacceptable and there is no significant evidence to show the development of the surrounding estate would be unduly affected, taking account of UDP policies. Accordingly, the appeal will be allowed. As regards conditions I shall impose those relating to noise attenuation and materials in the interests of residential and visual amenity. In order to retain the form and character of the former farm buildings and degree of noise attenuation within them I shall remove permitted development rights in respect of extensions and window openings. In the interests of highway safety conditions will also relate to the submission of details of the access improvement indicated on the plans.

Formal decision.

15. For the above reasons, and in exercise of the powers transferred to me, I allow this appeal and grant planning permission for conversion of redundant farm buildings to provide 3 residential units with garaging, and alterations to existing access at 2 Little Bryn Farm, Bryn Lane, Isycoed, Wrexham LL13 9UY, in accordance with the terms of

the application [No. ISY P/2005/1187] dated 6 October 2005 and the plans submitted therewith, as amended by Drg. 06 Revision A and Drg. 07 Revision B, subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this decision letter.
- (2) Before the residential units hereby approved are occupied they shall be insulated so as to provide sound attenuation against external noise for all habitable rooms (excluding bedrooms) of LAeq 35dB(A) and 30dB(A) for bedrooms in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.
- (3) Before the residential units hereby approved are occupied the front boundary wall shown on drg. No. 06 adjacent to Bryn Lane shall be constructed to a height of 2m.
- (4) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order with or without modification, no development as set out in Schedule 2, Part 1, Class A shall be undertaken, nor any additional windows installed in the elevations, without the prior permission of the local planning authority.
- (5) Before works on conversion of the residential units hereby approved commence, the structures shown for demolition alongside Bryn Lane on drg. No. 06 [Revision A] shall be removed.
- (6) Before works commence on site a scheme to improve the access onto Bryn Lane shall be submitted to and approved in writing by the local planning authority. The scheme shall include provision for a visibility splay of 2m x 160m within which there shall be no obstruction over 1m in height; a new kerbline and footway; and the hard surfacing of the access for at least 5m back from Bryn Lane. The scheme so approved shall be completed before the residential units are occupied.
- (7) Any new or replacement external roof or wall materials shall match those existing or be in accordance with samples which have first been submitted to and approved by the local planning authority.

David Wilks

Inspector

Appendix Seven

Bus timetables.

13B - Wrexham Bus Station - Wrexham Industrial Estate

A bus service operated by D Jones & Son

Monday 7 August 2017



Outbound

Wrexham Bus Station (Bay 5)	07:20	08:10	08:40		11:40	13:40		17:40
Rhosddu Osborne Road	07:24	08:12	08:42		11:42	13:42		17:42
Garden Village Jeffreys Road	07:29	08:17	08:49	then hourly	11:49	13:49	then hourly	17:49
Rhosnesni, o/s Post Office	07:31	08:19	08:51	until	11:51	13:51	until	17:51
Erlas Hall, opp Adenbury Way	07:38	08:26	08:58		11:58	13:58		17:58
Ridley View Redwither Tower	07:48	08:32	09:10		12:10	14:10		18:10

Inbound

Ridley View Redwither Tower	09:12		12:12	14:12		18:12
Ridley View Hoya Lens	09:13		12:13	14:13		18:13
Rhosnesni, opp Post Office	09:19	then hourly until	12:19	14:19	then hourly until	18:19
Rhosddu Osborne Road	09:27		12:27	14:27		18:27
Wrexham Bus Station (Bay 5)	09:31		12:31	14:31		18:31

More information

- D Jones & Son website [↗](#)

41 - Wrexham - Wrexham Industrial Estae via Queensway

A bus service operated by D Jones & Son

Saturday 5 August 2017



Wrexham - Wrexham Industrial Estae via Queensway

Wrexham Bus Station (Bay 2)	07:30	08:20	17:20
Wrexham Market Street (Stop B)	07:34	08:24	17:24
Wrexham, o/s Eagles Meadow	07:36	08:26	17:26
The Dunks Bernard Road	07:38	08:28	then hourly until 17:28
The Dunks Queensway West	07:42	08:32	17:32
Pentre Maelor	07:47	08:37	17:37
Pentre Maelor Wrexham Industrial Estate	07:50	08:40	17:40

Wrexham Industrial Estae via Queensway - Wrexham

Ridley View Redwither Tower	07:50	08:40	09:16		16:16	16:40	17:10	17:16	17:40	18:16
Pentre Maelor, opp Stadex	07:56	08:46	09:22		16:22	16:46	17:16	17:22	17:46	18:22
Pentre Maelor	07:58	08:48	09:25		16:25	16:48	17:19	17:25	17:48	18:25
The Dunks Queensway West	08:04	08:54	09:30	then hourly until	16:30	16:54	17:24	17:30	17:54	18:30
The Dunks Bernard Road	08:07	08:57	09:33		16:33	16:57	17:27	17:33	17:57	18:33
Wrexham, o/s Eagles Meadow	08:10	09:00	09:36		16:36	17:00	17:30	17:35	17:59	18:36
Wrexham Market Street (Stop C)	08:12	09:02	09:38		16:38	17:02	17:32	17:38	18:01	18:38
Wrexham Bus Station (Bay 2)	08:16	09:06	09:42		16:42	17:06	17:36	17:42	18:04	18:42



More information

- [D Jones & Son website](#)

42 - Wrexham - Wrexham Industrial Estate via Stockwell Grove

A bus service operated by D Jones & Son

Saturday 5 August 2017



Wrexham - Wrexham Industrial Estate via Stockwell Grove

Wrexham Bus Station (Bay 2)	08:50	17:50
Wrexham Market Street (Stop B)	08:54	17:54
Hightown Waterloo Close	09:01	18:01
Hightown, o/s Napier Square	09:04 then hourly until	18:04
The Dunks Millbrook Road	09:09	18:09
Pentre Maelor	09:13	18:13
Ridley View Redwither Tower	09:16	18:16

Wrexham Industrial Estate via Stockwell Grove - Wrexham

Ridley View Redwither Tower	08:10	09:40	15:40
Pentre Maelor	08:19	09:49	15:49
The Dunks Pentre Gwyn	08:23	09:53	15:53
King's Mills Hotel (o/s)	08:27	09:57	15:57
Hightown Hackett Court	08:29	09:59 then hourly until	15:59
Hightown Waterloo Close	08:33	10:03	16:03
Wrexham, o/s Eagles Meadow	08:38	10:05	16:05
Wrexham Market Street (Stop C)	08:41	10:06	16:06
Wrexham Bus Station (Bay 2)	08:45	10:10	16:10

More information

- [D Jones & Son website](#)

C56 - Chester - Wrexham

A bus service operated by D Jones & Son

Saturday 5 August 2017



Chester - Waverton - Farndon - Wrexham

Chester Bus Interchange (Stand C)	08:10	09:45	17:45
Chester Foregate Street Stop DD (Stop DD)	08:12	09:47	17:47
Saighton, o/s Old Post Office	08:20	09:58	17:58
Aldford Bridge (nr)	08:23	10:03	18:03
Churton, opp White Horse PH	08:28	10:08	18:08
Farndon Arms PH (o/s)	08:31	10:11	then every 2 hours until 18:11
Holt Cross (o/s)	08:34	10:14	18:14
Llan-y-Pwll Hugmore Lane	08:40	10:20	18:20
Rhosnesni, o/s Greyhound Inn	08:43	10:23	18:23
Wrexham Market Street (Stop C)	08:45	10:28	18:28
Wrexham Bus Station (Bay 7)	08:49	10:32	18:32

Wrexham - Farndon - Waverton - Chester

Wrexham Bus Station (Bay 7)	07:25	08:55	16:55
Wrexham Market Street (Stop C)	07:30	09:00	17:00
Rhosnesni, opp Greyhound Inn	07:32	09:05	17:05
Llan-y-Pwll Hugmore Lane	07:35	09:08	17:08
Holt Cross (opp)	07:41	09:14	17:14
Farndon, o/s Nag's Head PH	07:44	09:17	then every 2 hours until 17:17
Churton, o/s White Horse PH	07:47	09:20	17:20
Aldford Bridge (opp)	07:52	09:25	17:25
Saighton, opp Old Post Office	07:55	09:28	17:28
Chester Bus Interchange (Stand C)	08:10	09:43	17:43

More information

- D Jones & Son website [↗](#)

C56 - Wrexham - Chester

A bus service operated by D Jones & Son

Saturday 5 August 2017



Wrexham - Chester

Wrexham Bus Station (Bay 7)	07:25	08:55		14:55	15:10	16:55
Wrexham Market Street (Stop C)	07:30	09:00		15:00	15:15	17:00
Rhosnesni, opp Greyhound Inn	07:32	09:05		15:05	15:20	17:05
Llan-y-Pwll Hugmore Lane	07:35	09:08		15:08	15:23	17:08
Holt Cross (opp)	07:41	09:14		15:14	15:29	17:14
Farndon, o/s Nag's Head PH	07:44	09:17	then every 2 hours until	15:17	15:32	17:17
Churton, o/s White Horse PH	07:47	09:20		15:20	15:35	17:20
Aldford Bridge (opp)	07:52	09:25		15:25	15:40	17:25
Saighton, opp Old Post Office	07:55	09:28		15:28	15:43	17:28
Chester Foregate Street Stop CC (Stop CC)	08:10	09:43		15:43	15:58	17:43

Chester - Wrexham

Chester Foregate Street Stop CC (Stop CC)	08:10	09:45	11:45	13:45	15:45	17:45
Saighton, o/s Old Post Office	08:20	10:00	12:00	14:00	15:58	17:58
Aldford Bridge (nr)	08:23	10:03	12:03	14:03	16:03	18:03
Churton, opp White Horse PH	08:28	10:08	12:08	14:08	16:08	18:08
Farndon Arms PH (o/s)	08:31	10:11	12:11	14:11	16:11	18:11
Holt Cross (o/s)	08:34	10:14	12:14	14:14	16:14	18:14
Llan-y-Pwll Hugmore Lane	08:40	10:20	12:20	14:20	16:20	18:20
Rhosnesni, o/s Greyhound Inn	08:43	10:23	12:23	14:23	16:23	18:23
Wrexham Market Street (Stop C)	08:45	10:28	12:28	14:28	16:28	18:28
Wrexham Bus Station (Bay 7)	08:49	10:32	12:32	14:32	16:32	18:32

More information

- [D Jones & Son website](#)

Appendix Eight
LPGN 10 – Open space.



Public Open Space in New Housing Development

This is one of a series of local planning guidance notes amplifying development plan proposals in a clear format, with the objective of improving design standards. Public open space makes an important contribution to people's quality of life, providing opportunities for informal recreation and enhancing the visual appearance of an area. The proposal and guidelines which follow have therefore been prepared and adopted by the Council to foster a better standard of design and to clarify methods of financing future maintenance costs. By taking note of the advice contained in this leaflet it is hoped that developers will have a better understanding of public open space requirements and funding. These guidelines cannot cover all situations and applicants and agents are advised wherever the circumstances are unusual to discuss their proposals with a planning or landscape officer prior to the formal submission of an application.

10

Available in alternative formats

The National Playing Field Standard

The National Playing Fields Association (NPFA) has proposed a standard of 6 acres (2.43 hectares) of public open space per 1000 population comprising:

- 4 acres (1.62 ha) of playing fields. These should be suitable for youth and adult use; facilities include pitches, bowling greens, tennis courts and athletics tracks.

- 1.5 acres (0.61 ha) of informal public open space, such as informal play space and landscaped amenity areas.
- 0.5 acres (0.20 ha) of children's equipped playground facilities.

Local Requirements

A recent survey of public open playing space in Wrexham County Borough revealed that there is a shortage of public open space (particularly playing fields and playgrounds) in the majority of communities when compared with the NPFA standard.

The local Planning Authority is therefore keen to ensure that:

- a) adequate public open space is provided within new housing developments.
- b) developers should enter into legal agreements in order that funding can be provided for the future maintenance of open spaces and play equipment.
- c) exceptionally, in suitable limited cases where new developments are in close proximity to existing council owned play and amenity provision, developers should enter into legal agreements in order that funding can be provided to enhance, upgrade, augment and maintain the existing facilities in lieu of providing provision on site.



In all cases public open space should:

- *be well related to dwellings but not so as to cause nuisance to residents (e.g. kicking of balls against a dwelling). Furthermore, location, design, layout and lighting should seek to ensure peace of mind for users and to minimise creating opportunities for vandalism and crime,*
- *be designed and laid out for easy maintenance,*
- *be usable. The provision of small pieces of land resembling vacant building plots has little value either in recreational or visual terms and are often difficult to maintain. Of greater value is the provision of one structured and reasonably sized informal open space supplemented, where appropriate, by minor landscaped areas,*
- *incorporate existing public footpaths or rights of way or establish new public rights of way,*
- *incorporate and where possible enhance existing site features such as landforms, trees, hedgerows, vegetation, water features and wildlife habitats*
- *except in exceptional circumstances, be contained within the site and designed as an integral part of the development. It is essential that the open space contributes to the character of the development and does not represent merely a grassed area tacked onto the development as an afterthought,*
- *in the case of children's play equipment, should be visible and well located, with safe pedestrian access, to ensure that small children can play in safety. Play equipment and surfaces should be designed and installed to the relevant safety standards, B.S.E.N 1176/1177, and*
- *be of an acceptable standard of design and layout to enable future maintenance by the Council*

Off Site Provision and Funding

In suitable developments of less than 20 dwellings the local Planning Authority may agree that there is adequate equipped council owned play and amenity provision in close proximity to the proposed development, which could be used by the new residents rather than having provision supplied on site. The existing provision must be safely and easily accessible, not involving the crossing of main roads. In such cases the developer must enter into a legal agreement with the Council to pay the commuted sum referred to above. This money would then be used to upgrade, enhance, augment and maintain the agreed existing provision.

Design Brief

In some instances, particularly where sites have been allocated in the development plan, it may be the case that the Planning Department has produced a design brief for the site indicating the type, contents, position, size etc of the open space required. In these cases it is vital that early discussions between the applicant and the Planning Department are undertaken. This may help to speed up the determination of applications which may otherwise be delayed should the proposals for public open space be deemed unsatisfactory. Irrespective of whether a design brief has been prepared, the Council will look favourably upon any imaginative and innovative schemes which are presented and which broadly satisfy the standards outlined above.

Standard of Provision

The following Council standards will assist in working towards a level of provision of public open space in new housing developments in line with the NPFA standards outlined above.

- *Public open space should be provided in all new housing developments at a minimum level of 0.4 hectares per 50 dwellings, for all schemes of 10 dwellings or more.*
- *Provision should include an equipped children's play area(s), and/or informal open spaces, and, where the necessary open space requirements is 0.6 hectares or more, a playing field(s).*

Financing and Future Maintenance

Developers will be required to maintain the public open space provided on their sites for a period of twelve months from satisfactory completion, and as a condition to any approval, must enter into a legal 'commuted sums' agreement with the Council for the future maintenance of the site, for a ten year period. The current charge is £1000 per dwelling to cover maintenance costs for a ten year period which was set in August 2008.

Where developers would like to increase the number of dwellings at a later stage, the amount of public open space and commuted sum required will be increased accordingly. The commuted sum figure of £1000 per dwelling will be subject to an review, to ensure that it keeps pace with real current costs. It is likely that this figure will rise with the rate of inflation. The Planning Department should be contacted to see what the current figure is at the time of the planning application. Some developers prefer to make their own arrangements for the maintenance of open space. Typically, these involve the establishment of a company to carry out the maintenance work, and residents of the development become shareholders. Whereas there is no objection in principle to such arrangements, each case will be considered on its own merits and in particular provision for future maintenance must be demonstrated to the Council's satisfaction. Where such arrangements are approved an appropriate agreement with the Council will be required incorporating the arrangements which have been approved.



For further information contact:

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Adopted April 1993; revised July 1998, updated August 2008.

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/H6955/A/17/3178856

DETAILS OF THE CASE

Appeal Reference	APP/H6955/A/17/3178856
Appeal By	APP-CHEM LTD
Site Address	App-Chem Ltd, App-Chem House Hugmore Lane, Llan-y-Pwll WREXHAM LL13 9YE

SENDER DETAILS

Name	MR MATTHEW GILBERT
Address	Bridge Farm Sarn MALPAS Cheshire SY14 7LN

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☒ Appellant
☐ Agent
☐ Interested Party / Person
☐ Land Owner
☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
☐ Proof of Evidence
☐ Statement
☐ Statement of Common Ground
☒ Written Statement of Evidence
☐ Interested Party/Person Correspondence

☐ Other

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section: REPRESENTATION
Document Description: Your comments on the appeal.
File name: hugmore lane appeal statement.pdf
File name: hugmore lane appendices.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

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COMMENTS ON CASE - PERSONAL FORM (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in either the start date letter or the notification letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Your email address given in this document will not be publicly available.

Appeal Reference: APP/H6955/A/17/3178856

SENDER DETAILS

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01948 770620