

PLANNING APPEAL STATEMENT

Council Application Ref: P/2015/0875

In connection with outline planning application for residential development (50 dwellings) with all detailed matters reserved for further approval.

Land to the rear of Briarswood and land off Main Road, Rhosrobin, Wrexham LL11 4YL

Prepared for : D S Holmes Builders Ltd
Meadows View
Rhosddu Industrial Estate
Wrexham
LL11 4YL

Job No: 3819/3

Date: 10 January 2017

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1. INTRODUCTION

- 1.1 This planning appeal statement has been prepared by Philip McCormick RIBA of McCormick Architecture Ltd.
- 1.2 I am a Chartered Architect, member of the Royal Institute of British Architects.
- 1.3 This statement provides the grounds of appeal submitted as part of a written representation.

2. THE PLANNING APPLICATION

- 2.1 The Planning Application Ref: P/2015/0875 was submitted to Wrexham County Borough Council on 17 November 2015.
- 2.2 The planning application related to land to the rear of Briarswood and land off Main Road, Rhosrobin, Wrexham LL11 4YL and proposed:
- Outline planning application for residential development (50 dwellings) with all detailed matters reserved for further approval.
- 2.3 The application was refused by Wrexham County Borough Council on 30 August 2016.
- 2.4 The local planning authority refused the application for one reason only:
- “1. The site lies outside of a settlement limit, within a Green Barrier and the development of the site will represent an undesirable intrusion into the countryside that separates Old Rhosrobin and New Rhosrobin as well as a coalescence of those two settlements. The development is therefore contrary to Policies PS1, PS2 and EC1 of the Wrexham Unitary Development Plan”.
- 2.5 A copy of the refusal document is attached at Appendix 1.

3. THE SITE

- 3.1 The site lies within the settlement of Rhosrobin approximately 1.5 miles to the north west of Wrexham.
- 3.2 The site fronts to Main Road, Rhosrobin.
- 3.3 The land is generally flat with a highway and public footpaths along its frontage and public footpaths to each of its northerly and southerly boundaries.
- 3.4 The site area comprising 1.91 hectares forms the frontage piece of a total landholding of 18.454 hectares owned by the appellant.
- 3.5 The site has clear boundaries to the north, south and east and a new boundary fence will be erected on its westerly boundary with gated access to the remaining.

4. GROUNDS OF APPEAL

4.1 Background.

- 4.1.1 The applicant submitted an Outline Planning application to Wrexham County Borough Council on 15th July 2014, application ref P/2014/0515 for 24 dwellings on a 1ha site.

This was refused on 11th September 2014 for the following reasons:

1. *The site lies outside of a defined limit within a Green barrier and is Grade 2 agricultural land. The development will harm the openness of the Green Barrier, does not represent a logical extension to the existing built up area, represents an undesirable intrusion into the landscape and will result in the loss of high quality agricultural land. It therefore conflicts with policies PS1, PS2, GDP1, EC1 and H5 of the Wrexham Unitary Development Plan.*
2. *The indicative plans fail to demonstrate that the site can accommodate a well-designed development of 24 dwellings with conveniently located and useable public open space. Accordingly the development does not accord with policies GDP1(a) and CLF5 of the Wrexham Unitary Development Plan.*
3. *The site forms part of a much larger land holding and the indicative plans and application documents clearly suggest that there is intent to develop it. On that basis it would appear that this application represents a deliberate phasing of development in order to avoid the provision of affordable housing. Accordingly the development is contrary to policy H7 of the Wrexham Unitary Development Plan.*
4. *There is insufficient information submitted to demonstrate that the site can accommodate 24 dwellings whilst ensuring that the amenity afforded to future occupiers will not be unacceptably comprised by noise from the adjoining Rhosddu Industrial Estate. Accordingly the development will not accord with Policy GDP1(f) of the Wrexham Unitary Development Plan.*
5. *Insufficient information has been submitted to demonstrate that the development will not have a detrimental impact upon the favourable conservation status of Great Crested Newts. Accordingly the development does not accord with policy EC6 of the Wrexham Unitary Development Plan.*

- 4.1.2 The applicant submitted a further Outline Planning application on 8th April 2015, application ref P/2015/0260 for 50 dwellings on a 1.91ha site.

This was withdrawn on 26th May 2015 to give additional time to finalise ongoing consultation with NRW, and to respond to WCBC Planning and Biodiversity officers comments. Mr Matthew Phillips (WCBC planning officer) confirmed by email 26th May 2015 the following reasons for refusal would have been applied:

1. *"I am minded to recommend permission be refused and of the opinion that reason 1 of the previous application (P/2014/0515) is applicable."*
2. *"whilst the indicative plan shows sufficient open space, at least in so far as amount, it fails to demonstrate that the site can accommodate a well-designed development of 50 dwellings. So a modified version of the 2nd reason for refusal of the earlier application would also be applicable."*
3. *"The reason for concluding that the site is the first phase of a larger development is not only the fact that the site is an LDP candidate site. Having visited also the site twice now in connection with the previous and current applications, there seems no also logical reason for the site to only project out into the field as far as it does. The illustrative plan also shows a layout that stops rather abruptly resulting a rather stark boundary between the development and the open fields beyond. If build as proposed the scheme would look like a part completed development."*
4. *"In light of comments I have received from our ecologist a reason for refusal similar to the final reason for refusal of the previous application is also likely to be applicable With regards, the application submitted is clearly intended to be the first phase of a much larger development and I do not believe it is appropriate to look at the ecological impacts of the development in isolation to the impact of developing the much larger site, which I understand has been submitted as an LDP candidate site."*

4.1.3 The applicant submitted a further Outline Planning application on 13th November 2015, application ref P/2015/0875 for 50 dwellings on a 1.91ha site. (The subject of this appeal).

4.1.4 Information was provided to remove the earlier reasons for the recommendation to refuse the application.

4.1.4.1 High quality agricultural land; the following statement was included within the application; *"We understand that the proposals do not accord with policy H5 that permit small scale residential development on sites outside of settlement limits. The site is also within a Green Barrier and the development would lead to the loss of Grade 2 Agricultural Land (policies EC1 and EC2). Access to the land is restricted by existing*

development, railway lines and a main highway which precludes the effective use of this site for agricultural purposes. The loss would not be significant, as in excess of 14.6 hectares (79%) would be retained. As the amount of development is only 1.911 hectares, the impact on the Green Barrier is negligible given that the majority of it is retained."

The Council accepted this.

- 4.1.4.2 Extent of development; Whilst this is not the extent and number of dwellings that the applicant had originally hoped for and proposed in "Call for Sites" for LDP2, given the triangular nature of the site which is bounded by existing development, railway lines and a main highway which has the only apparent suitable means of access, it appears to be the solution for this particular site. A Transport Statement was commissioned by the applicant which confirmed the maximum number of 50 dwellings would be acceptable off a T junction off the Main Road highway. Refer to HPS Transport Statement dated February 2015 in the application documents.

The Council accepted this.

- 4.1.4.3 Layout; The indicative sketch layout shows that a suitable layout for 50No dwellings, together with adequate privacy distances, gardens, means of access and amenity spaces can be accommodated within the application area. Mr Matthew Phillips (WCBC Planning Officer) confirmed in an email dated 23rd September 2015 following issue of a revised sketch plan (included within application P/2015/0875) that *"the plan demonstrates that the proposed number of units could be accommodated and that it would be possible to achieve an acceptable layout."* Whilst an access to the retained field will form part of the application proposals, this will be for retained agricultural purpose only, and not intended as a possible future extension to this application development proposal.

The Council accepted this.

- 4.1.4.4 Affordable housing; It is proposed that there will be 13No dwellings allocated as Affordable Housing, and the remaining 37No dwellings will be open market housing, in line with planning requirements.

The Council accepted this.

- 4.1.4.5 Impact of noise from Rhosddu Industrial Estate; The applicant appointed Environoise to carry out impact of noise from the Industrial Estate together with the railway line and the main road on the proposed site and their report dated 25th February 2015 was submitted with the application. The recommendations of the report are indicated on the indicative site plan submitted with the application.

The Council accepted this.

- 4.1.4.6 Ecology; Extensive discussions have taken place between the applicants appointed ecologists, The Tyrer Partnership, and NRW with regard to the requirements for surveys and the principle and extent of the mitigation, which was subsequently agreed. One of the reasons for the withdrawal of application P/2015/0260 was to provide further time to finalise these discussions. The design and location of the proposed mitigation not only provides an opportunity to enhance and protect GCN on the application site but also retains the land in which existing ponds and ditches lie. Connectivity to the west of the site, where other mitigation is or has been implemented, will ensure that population movement/expansion can occur and that the *"favourable conservation of the species concerned can be maintained"*. A Section 106 proposal for land set aside for mitigation can secure its long term protection along with management/monitoring of the mitigation site that has, in principle, been agreed with ARC. Therefore if the mitigation as proposed is implemented then there is no reason to believe that the FCS of the species concerned cannot be maintained at its current Local or County level. Refer to The Tyrer Partnership GCN Strategy report dated 5th November 2015 submitted with application P/2015/0875, NRW consultation letter dated 4th December 2015 and Stan Irwin response email dated 12th January 2016.

The Council accepted this.

- 4.1.5 In addition to the items above, the following were part of the consultation process.

- 4.1.5.1 Foul water drainage; refer to Dwr Cymry/Welsh Water consultation comments letter dated 27th November 2015 which confirmed condition on point of connection, and that no problems were envisaged with the Waste Treatment Works for the treatment of domestic discharges from this site.
- 4.1.5.2 Surface water drainage; following comments from the Council's Senior Flood Management Officer on the 23rd November 2015, 3 No. conditions were agreed with Matthew Philips as a response to the comments, please refer to email dated 24th November 2016.
- 4.1.5.3 Highways; refer to Service Manager Environment comments memorandum dated 5 January 2016 which confirmed that it would be possible to construct an access that would meet all highway design criteria, that the traffic generation from 50 dwellings would be insignificant in terms of highway capacity, and that there was no objection to the proposed development.

- 4.1.5.4 Public protection; refer to Head of Housing and Public Protection memorandum dated 30 November 2015 which confirms conditions in respect of Environmental Protection and Contaminated Land, due to proximity to traffic/industry noise and the area the site is located.
- 4.1.6 The Council have accepted all other aspects have been properly addressed and their sole reason for refusal is as per Item 2.4 of this Statement.

4.2 The Development Plan Position

4.2.1 The Development Plan for the area is the Wrexham Unitary Development Plan (UDP) 1996-2011 which was adopted in February 2005. The UDP is now more than 5 years out of date.

4.2.2 Wrexham County Borough Council withdrew its Local Development Plan (LDP1) from the examination process in March 2012 following fundamental concerns raised by the Planning Inspector conducting the examinations. The Inspector had identified a number of issues with the Plan, the most significant of which were:

- The level of overall housing provision in the County;
- The need to maximise opportunities to provide affordable housing; and
- The provision of accommodation for Gypsies and Travellers.

4.2.3 Wrexham County Borough Council is now well progressed with LDP2 and is at the stage where it has produced proposals and recommendations for public consultation. The timescale has slipped and it is understood that by June 2017 (provisional) the Council would expect to formally submit LDP2 with supporting documentation to Welsh Government with adoption of the Plan not then due until March 2018 at the earliest.

The following information was extracted from the LDP2 2016 documents prepared by Wrexham County Borough Council at our inspection of them on 11 April 2016, key notes being:

- *Option A Employment Led with approx. 13,010 new homes, 870/year.*
- *Option B Migration Led with approx. 11,715 new homes, 781/year (WCBC preferred option).*
- *Option C Migration Led with approx. 11,030 new homes, 740/year.*
- *Option D Migration Led with approx. 10,100 new homes, 670/year.*
- *Average 10 year completions is 420 dwellings/year.*
- *All options will require a higher build rate than in the past.*
- ***The increase in housing delivery, regardless of the option chosen will mean that greenfield sites on the edge of existing settlement limits will need to be developed to accommodate new growth.***
- *The figures in table 1 already build in a 10% contingency allowance to ensure adequate flexibility is built into the emerging Plan strategy and allocations at the*

outset. This is to allow for any change in circumstances which may arise over the Plan period.

- Based on the information in sections 4.3 and 4.4, the council's Preferred Level of Growth for the LDP Preferred Strategy is Option B. This proposes the development of about 11,715 new homes to deliver a housing requirement of 10,650, together with 7,500 new jobs and 53ha of development land.
- Overall, option B is considered to be most aligned with "Our Wrexham Plan". Whilst it provides fewer jobs and homes than option A, it seeks to strike a balance between economic ambition and delivering social and environmental sustainability.
- **There is a continuing need to provide both market and affordable housing in the County Borough, however delivering this is partially compounded by the current lack of a wide range and choice of housing opportunities, viability in some parts of the County Borough and a reduced land supply situation. Wrexham is currently deemed to have no housing land supply as a result to recent changes in National Planning Policy despite having an evidenced supply of approximately 2000 homes with permission or under construction as of 1st April 2015.**
- Our own evidence base demonstrates that we have a limited supply of deliverable brown field sites remaining within existing settlement limits across the Borough and this is a diminishing resource. **It will be necessary therefore to bring forward greenfield sites on land adjoining existing settlements in the most sustainable locations to address the identified housing and employment land needs over the Plan period. This will be the case regardless of the levels of growth.**
- The generation of options undertaken as part of the SA has enabled a further refinement to the strategy by identifying minor villages in tier 4 (**Rhosrobin**, Marchwiel, Bronnington, Southsea and Bradley) that could also help avoid negative environmental impacts and contribute to the achievement of sustainable development.
- Concentrates development in the following sustainable locations in accordance with the findings of the settlement hierarchy and SA (Sustainability Appraisal) some Minor Villages namely **Rhosrobin**, Marchwiel, Bronnington, Southsea and Bradley.
- Amends the boundary of the existing green wedge designation around Wrexham Town to facilitate the delivery of Key Strategic Site allocations.

- *Wrexham County Borough currently has a Green Barrier designation in the existing Unitary Development Plan in PPW. As part of the LDP preparation it has been necessary to undertake a review of those areas of land which surround Wrexham Town in order to determine areas of change (Key Strategic Sites) as part of the Preferred Strategy.*
- *Those sites identified for mixed use housing and community facilities require amendments to the existing green wedge designation to allow them to come forward (see Figure 5:Key Diagram) in the LDP.*
- *The Strategic Green Wedge Review (Stage 1) sets out methodology and approach taken to assessing the current designation, which will be expanded as part of the Deposit Plan to include the rest of the areas in the County which are currently covered by the designation.*
- *The Preferred Strategy recognises that there is a limited supply of deliverable brownfield land within the County Borough.*
- *The strategy best meets the housing needs of the community by balancing sustainability, deliverability, viability and need while also providing infrastructure to support development and helping to delivery affordable housing.*
- *The Local Housing Market Assessment (March 2015) has identified the need for 157 affordable units per annum for both social and intermediate rent tenures.*
- *Providing an appropriate supply of housing directly supports the priorities within Our Wrexham Plan, particularly 'making Wrexham a place where people can live independently and are healthy and active.*
- *Identifying appropriate levels of housing density will differ on a site by site basis and is dependent on a range of issues such as topography, size and constraints associated with individual sites and also the surrounding site context.*
- *The policy does not set a specific density level in recognition of these issues but it is expected that site density is maximised in order to make the most efficient use of land and be reflective of local circumstances.*
- *Densities within existing settlement limits vary between 30 – 50 dwellings per hectare on average, with higher density development within Wrexham Town and Wrexham Town Centre.*
- *Higher density developments can assist in urban and rural regeneration by increasing possible population numbers to support communities, social facilities and public transport, as well as reducing greenfield land take.*

- *Location of New Development; The Villages (Tier 4) of Bradley*, Marchwiel*, Rhosrobin* and Southsea**
- *The Villages (Tier 4) potential delivery; brownfield allocations, greenfield allocations, small scale windfill sites (including infill) and Affordable Housing Rural Exception Sites.*
- *The Villages (Tier 4) may look like in Deposit Plan; Settlement limits may change in the Deposit Plan in those areas marked with an * to include allocations (sites that can deliver 10 or more units) for new housing development.*

As evidenced above the County's preference is Option 'B'.

- 4.2.4 Whilst LDP2 is not yet adopted it is nevertheless progressed to the extent that whatever option they decide upon they have stated:

“It will be necessary to bring forward greenfield sites on land adjoining existing settlements in the most sustainable locations to address the identified housing and employment land needs over the Plan period. This will be the case regardless of the levels of growth”.

4.3 Planning Policy Wales

4.3.1 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government and translates the Government's commitment to sustainable development in the planning system.

4.3.2 PPW states:

"4.2.2 The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when:

- preparing a development plan; and
- in taking decisions on individual planning applications."

4.3.3 In relation to outdated plans and policies PPW states:

"2.7.1 Where development plan policies are outdated or superseded local planning authorities should give them decreasing weight in favour of other material considerations, such as national planning policy, in the determination of individual applications".

"2.8 Emerging or outdated plans

2.8.1 The weight to be attached **emerging LDP** (or revision) when determining planning applications will in general depend on the stage it has reached, but does not simply increase as the plan progresses towards adoption. When conducting the examination, the appointed inspector is required to consider the soundness of the whole plan in the context of national policy and all other matters which are material to it

2.8.2 Additionally where an LDP is still in preparation, questions of **prematurity** may arise. Refusing planning permission on grounds of prematurity will not usually be justified except in cases where a development proposal goes to the heart of a plan and is individually or cumulatively so significant, that to grant permission would predetermine decisions about the scale, location or phasing of new development which ought properly to be taken in the LDP context

The stage which a plan has reached will also be an important factor and a refusal on prematurity grounds will seldom be justified where a plan is at the pre-deposit plan preparation stage, with no early prospect of reaching deposit, because of the lengthy delay which this would involve in determining the future use of the land in question".

“2.8.4 It is for the decision maker in the first instance, to determine through monitoring and review of the development plan whether policies in an adopted LDP are outdated for the purposes of determining a planning application. Where this is the case, local planning authorities should give the plan decreasing weight in favour of other material considerations, such as material planning policy, including the presumption in favour of sustainable development”.

Chapter 4 Planning for Sustainability

4.1 Sustainable Development.

4.1.1 The goal of sustainable development is to “enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations”.

“4.2.2 **The planning system provides for a presumption in favour of sustainable development** to ensure that social, economic and environmental issues are balanced and integrated”.

“4.2.4 A plan-led approach is the most effective way to secure sustainable development through the planning system and it is important that plans are adopted and kept regularly under review. Legislation secures a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise. Where;

- there is no adopted development plan, or
- relevant development policies are considered outdated or superseded, or
- where there are no relevant policies there is a presumption in favour of proposals in accordance with the key principles (see 4.3) and key policy objectives (see 4.4) of sustainable development in the planning system.

4.3.4 PPW indicates at paragraph 9.2.3 that:

“Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan.

This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live.

There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study.

The Welsh Government will monitor development plans and their implementation to ensure that sufficient housing land is brought forward for development in each local planning authority and that economic development and related job opportunities are not unreasonably constrained”.

- 4.3.5 There is a clear presumption in favour of sustainable development and a requirement to provide a 5 year supply of housing land within Planning Policy Wales.

4.4 The Council's 5 year land supply

- 4.4.1 The Wrexham County Borough Council Joint Housing Land Availability Study (JHLAS) published on 31 March 2014 concluded that there was only a 3.4 years supply of housing land at the base date of 1 April 2013.
- 4.4.2 The more recent JHLAS published on 31 January 2015 with a base date of 1 April 2014 shows a land supply of 3.1 years.
- 4.4.3 The Council's own LDP2 documents inspected on 11 April 2016 stated:

"There is a continuing need to provide both market and affordable housing in the County borough, however delivering this is partially compounded by the current lack of a wide range and choice of housing opportunities, viability in some parts of the County borough and a reduced land supply situation. Wrexham is currently deemed to have no housing land supply as a result of recent changes in National Planning Policy despite having an evidenced supply of approximately 2000 houses with permission or under construction as of 1 April 2015".

"Our own evidence base demonstrates that we have a limited supply of deliverable brown field sites remaining within existing settlement limits across the Borough and there is a diminishing resource. It will be necessary therefore to bring forward greenfield sites on land adjoining existing settlements in the most sustainable locations to address the identified housing and employment land needs over the Plan period. This will be the case regardless of the levels of growth".

"The generation of options undertaken as part of the SA has enabled a further refinement to the strategy by identifying minor villages in Tier 4 (Rhosrobin, Marchwiel, Bronnington, Southsea and Bradley) that could also help avoid negative environmental impacts and contribute to the achievement of sustainable development".

4.5 Policy

- 4.5.1 The reason for refusal refers to the site being “outside of a settlement limit, within a Green Barrier and the development of the site will represent an undesirable intrusion into the countryside that separates Old Rhosrobin and New Rhosrobin as well as a coalescence of those two settlements”.
- 4.5.2 It is acknowledged that the site lies within an area of open countryside and Green Barrier within the outdated UDP.
- 4.5.3 The Council, as part of LDP2, acknowledge that the housing land supply issue can only be resolved by the allocation of land outside existing settlement boundaries and in areas of open countryside.
- 4.5.4 The Council specifically identify Rhosrobin as one of the Tier 4 settlements where housing should be provided avoiding negative environmental impacts and contributing to the achievement of sustainable development.
- 4.5.5 The site is contained by the following natural/built features:
- East. Public highway with built up frontage including church and residential properties along the opposite side of the road.
 - North. Residential development, Briarswood with former dismantled railway line.
 - South. Rhosddu Industrial Estate and housing fronting to Main Road.
 - West. Agricultural land.
- 4.5.6 The site frontage to the existing highway, Main Road, measures only 88 metres. The proposal will be to set back frontage properties and provide a landscaped frontage to the new development (to future detail) including tree planting thus maintaining a “green” frontage to the street. Vehicular and access to frontage houses will be obtained from the rear of each property.
- 4.5.7 The Council have made it quite clear during negotiations that a T-junction highway entrance onto Main Road would be acceptable to serve up to 50 dwellings only and therefore remaining land to the west of the site will be retained for agricultural purposes thus maintaining a green area between the various existing developments.
- 4.5.8 The proposed development will not have a detrimental impact upon the open countryside or the Green Barrier function of the land.

- 4.5.9 The scale of change is limited and it is clear that in order to create sustainable housing developments to respond to the housing supply issue, areas of open countryside and Green Barrier will need to be developed throughout the County Borough.

4.6 Affordable Housing

- 4.6.1 The applicant has already confirmed to the Council that the development, if approved, would include 13 No. affordable dwellings to meet the requirements of the Council's policy and the applicant expects this to be a condition of any consent.
- 4.6.2 Details of affordable housing proposals including mix of properties and tenure to be included in a future reserved matters planning application with appropriate legal undertaking.

4.7 Sustainability

4.7.1 Planning Policy Wales at paragraph 4.2.2 confirms the Government's presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when taking decisions on individual planning applications.

4.7.2 The site lies within the settlement of Rhosrobin, 2.5 km north of Wrexham town centre.

4.7.3 Rhosrobin provides the following services and facilities:

- Public transport – road. Frequent bus services to Wrexham town centre and neighbouring settlements with bus stops adjacent to the site.
- Convenient access by cycle or pedestrian footpaths to Wrexham town centre 2.5 km away.
- Public transport – rail. Gwersyllt railway station lies 1.1 km from the site providing access to frequent services on the Shrewsbury – Wrexham – Liverpool line.
- Excellent public highway linkages to:
 - Wrexham
 - A483 to the A55 and North Wales coast
 - A483 to Chester, the M56 and the North West
 - A483 and the A5 to Shrewsbury and the West Midlands
- A range of local schools:
 - Gwersyllt Junior C.P. School (Primary)
 - Ysgol y Gaer School (Primary)
 - Ysgol Henlfan C.P. School (Primary)
 - Ysgol Bryn Alyn (Secondary)
 - Ymlaen (Special Education)
 - Gwersyllt Support Centre (Special Education)
- Employment. Wide range of employment uses in close proximity (walking distance) to the site at:
 - Rhosddu Industrial Estate, Rhosrobin
 - Plas Acton Car showrooms, Pandy
 - Pandy Business Park

- Community/Health facilities including:
 Gwersyllt Dental Practice
 Pen y Maes Health Centre, Gwersyllt
 Daleside Veterinary Group, Rhosrobin
 Variety of churches
 - Retail including:
 Rhosrobin Stores for general provisions and newsagents. Supermarkets,
 Beauty Salon and Fish bar within easy walking distance.
- 4.7.4 The site is very conveniently situated for the majority of day to day services and within a short walk, cycle or bus ride to the major service centre of Wrexham.
- 4.7.5 The development is sustainable in terms of its location, proximity to services and facilities and transport infrastructure.
- 4.7.6 The development will provide a sustainable form of development in line with the presumption in favour of sustainable development defined in Planning Policy Wales.

4.8 Planning Benefits

4.8.1 The following key Planning and Community Benefits are achieved by the proposals:

1. Creation of 50 homes will assist in the increase in housing land within the Council's area in line with the requirements of Planning Policy Wales.
2. The provision of 13 No. affordable homes will provide much needed affordable housing in the local area.
3. The site is located in a highly sustainable location with access to services and facilities within easy walking distance and public transport adjacent thereby negating the need to extend infrastructure to rural areas.
4. Enhancement of wildlife habitat within the site and on adjacent land within the applicants ownership which will be secured by a S106 Agreement.
5. Significant green spaces to the site frontage and within the development.
6. Retention, upgrading and extension of public footpath links for community benefit.
7. Provision of a good quality development with a variety of accommodation to suit local needs.
8. 50 new homes which will contribute to the sustainability of the local area helping support local services and facilities.
9. The site is available for immediate development, is deliverable and easily serviced.
10. The construction work will provide significant local employment and material supply.
11. The houses will be detailed to meet best practice Building Regulations and incorporate renewable energy standards.

4.8.2 It is clear the proposal will have significant planning and community benefits.

4.8.3 These significant material considerations weigh in favour of the development and provide a sustainable form of development in line with Planning Policy Wales.

5. SUMMARY

In view of:

1. The withdrawal of LDP1; and
2. The lack of a current Development Plan; and
3. The status of the emerging LDP2 with the Council's clear recommendations; and
4. The timelines to achieve adoption of LDP2; and
5. The Council's failure to provide a 5 year land supply; and
6. The minimal, if any, harm to the green wedge; and
7. The Council's clear acceptance of all other relevant factors; and
8. The sustainable location of the site and its development

we urge the Inspector to grant this appeal.

Philip McCormick RIBA

APPENDICES

Appendix 1

Refusal document

In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

1
Expiry Date:
11/01/2016
Decision Notice
Sent:
12/01/2016
Grid Reference:
E 332892.39
N 352807.24

3819/3



to WRE
Jen - 5 SEP 2016

Applicant	D S HOMES BUILDERS LTD	Code No	GWE P /2015 /0875
Agent	MCCORMICK ARCHITECTURE LTD THE MOORINGS ROWTON BRIDGE ROAD CHRISTLETON CHESTER CHESHIRE CH3 7AE	Date Received	17/11/2015
		Decision Date	30/08/2016

Town and Country Planning Act, 1990

Location of application

PART OF DISMANTLED RAILWAY LAND TO THE REAR OF
BRIARSWOOD AND LAND OFF MAIN ROAD, RHOSROBIN, WREXHAM
LL11 4YL

Description of application

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT
(50 DWELLINGS) WITH ALL DETAILED MATTERS RESERVED FOR
FURTHER APPROVAL

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

CLF5	Open space requirements from new residential developments
EC1	Green Barriers
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
H5	Housing in the countryside
H7	Affordable housing within new developments
PS1	Settlement limits
PS2	Development and the environment
T10	Walking and cycling route safeguarding
T8	Parking

Applicant	D S HOMES BUILDERS LTD	Code No	GWE P /2015 /0875
Agent	MCCORMICK ARCHITECTURE LTD THE MOORINGS ROWTON BRIDGE ROAD CHRISTLETON CHESTER CHESHIRE CH3 7AE	Date Received	17/11/2015
		Decision Date	30/08/2016

Particulars of decision that Outline Planning Permission be REFUSED

Reason(s)

1. The site lies outside of a settlement limit, within a Green Barrier and the development of the site will represent an undesirable intrusion into the countryside that separates Old Rhosrobin and New Rhosrobin as well as a coalescence of those two settlements. The development is therefore contrary to policies PS1, PS2 and EC1 of the Wrexham Unitary Development Plan.



Officer Appointed for this purpose

Refer to the Statement of Applicant's Rights and General Information Enclosed

**Head of Community Wellbeing and Development, Lambpit Street, Wrexham,
LL11 1AR**

**Refer to the Statement of Applicant's Rights and General Information enclosed
or refer to the following link:-**

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm