

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT
LAND ADJACENT TO THE BUNGALOW OLD BLACK PARK ROAD
HALTON CHIRK**

COUNCIL'S STATEMENT OF CASE

PLANNING REF: P/2015/0225

PINS REF: 3166718

1.0 THE SITE

- 1.1 The appeal site is a 0.6ha paddock located on the north side of Old Black Park Road. The site is approximately 450m to the north-east of Chirk and 400m to the south-west of Halton.

2.0 PROPOSAL

- 2.1 The appeal proposals are for the use of the site for the siting of 7 plots for occupation by gypsy and travellers together with the erection of a communal utility building.

3.0 NATIONAL PLANNING CONTEXT

- 3.1 Planning Policy Wales

3.2

4.0 LOCAL PLANNING CONTEXT

Wrexham Unitary Development Plan

- 4.1 The UDP policy directly relevant to the appeal:

- GDP1: Development Objectives

- 4.2 The following UDP policies are applicable to the appeal proposals:

- PS1 & PS2: Strategic Policies:
- EC4: Hedgerows, Trees and Woodlands
- EC6: Biodiversity Conservation
- EC11: Archaeology (*applicable due to part of the site being in the World Heritage Zone Buffer*).
- T8: Parking

5.0 THE COUNCIL'S CASE

- 5.1 The Council's case is set out in the Case Officer Delegated Report (see appendix 1). The Council also relies on the memorandum dated 6 July 2016 submitted by the Service Manager Environment (see appendix 2).

Update regarding need

- 5.2 The need for gypsy and traveller accommodation is acknowledged in the Case Officer Delegated Report and explains that the Wrexham Gypsy and Traveller Accommodation Needs Assessment 2013 – 2018 (see appendix 3) identified a need for 21 new pitches.

- 5.3 The Council has recently submitted an updated needs assessment to the Welsh Government – the Wrexham Gypsy and Traveller Accommodation Needs Assessment 2015 – 2020 (see appendix 4), primarily to inform the preparation of the Wrexham Local Development Plan (2013-2028). Until this document is signed off by the Welsh Ministers, it is not a material consideration. Nevertheless it is clear from its conclusions and recommendations (p30) that there remains an unmet need for additional Gypsy and Traveller accommodation – with 17 pitches likely to be required over the period 2015-2020 and 27 pitches need over the LDP plan period (2013-2020).
- 5.4 Since the refusal of planning permission for the appeal proposals, planning permission has been granted for a Gypsy and Traveller site (LPA reference P/2015/0773, appeal reference APP/H6955/A/16/3144761 – see appendix 5) at a site in Southsea. An appeal is also pending against the Council's refusal of planning permission for 2 Gypsy and Traveller Pitches a site at Fennant Road in Ponciau (LPA reference P/2016/0225), appeal reference APP/H6955/A/16/3161155).
- 5.5 The Council will update the Inspector during the appeal hearing if the Fennat Road appeal decision has been issued by then. Regardless of the outcome of that appeal, it is clear that there remains an unmet need for Gypsy and Traveller accommodation in the County Borough.
- 5.6 The Council acknowledges the considerable local opposition to the development, however only seeks to have the appeal dismissed on the grounds of highway safety.

6.0 CONCLUSION

- 6.1 Due to inadequate access in both directions the development will not be provided with a safe means of vehicular access onto the highway and therefore does not accord with policy GDP1 (d) of the Wrexham Unitary Development Plan. The Inspector is respectfully requested to dismiss the appeal.

A APPENDICIES

- A.1 Case Officer Delegated Report
- A.2 Memorandum from the Service Manager Environment dated 6 July 2016
- A.3 Wrexham Gypsy and Traveller Accommodation Needs Assessment 2013 – 2018
- A.4 Wrexham Gypsy and Traveller Accommodation Needs Assessment 2015 – 2020

- A.5 Appeal decision reference: APP/H6955/A/16/3144761
- A.6 Listed of suggested conditions in the event of the appeal being allowed.