



Summary Statement of Evidence

Planning Matters

Stephenie Hawkins

BSocSc(Hons), MPhil, MSc, MRTPI

Appellant:

Mrs Margaret Crewe

Site:

Home Farm, Gresford Road, Llay,
Wrexham LL12 0NW

Date:

October 2016

3 Brindleyplace
Birmingham
B1 2JB

T: +44 (0)8449 02 03 04
F: +44 (0)121 609 8314

LPA Ref: P/2014/0905

PINS Ref: APP/H6955/A/16/3147116

DECLARATION

The evidence which I have prepared and provide for this appeal – reference APP/H6955/A/16/3147116 – in this Written Statement of Evidence is true and has been prepared and is given in accordance with the guidance of my professional institution – the Royal Town Planning Institute (RTPI) – and I confirm that the opinions expressed are my true and professional opinions.

Summary

1. The application was refused planning permission for a single reason, albeit this conflates two reasons – (i) That the proposed development is unacceptable in principle being outside of the defined settlement limit of Llay, and, as such, is contrary to Policies PS1 and H5 of the UDP; and (ii) That the proposed development is not an appropriately sized or logical extension to Llay, and, as such, is contrary to Policy PS2 of the UDP.

Settlement limit

2. It is accepted, as a matter of fact, that the proposed development technically conflicts with Policies PS1 and H5 of the UDP. However, there are material considerations that limit the weight that should be afforded to, and justify departing from, these policies.
3. The UDP was adopted in 2005 and was prepared to cover the period 1996 to 2011. The plan period ended some 5 years ago and it is, therefore, significantly time-expired. Policies PS1 and H5 reflect a strategy formulated to meet a housing requirement that is now obsolete and substantially overtaken.
4. The UDP strategy focuses on the regeneration of built up areas and was formulated to meet a housing requirement of 5,775 dwellings between 1996 and 2011. This housing requirement is time expired and based on an evidence base that is some 20 years old. More up to date evidence suggests a housing requirement for the emerging LDP, to cover the period 2013-2028, that is double that of the UDP.
5. There is no longer sufficient housing land within the currently defined settlement limits to meet housing needs. As such, the settlement limits, and policies that enforce them, are outdated. This is clear from the LDP(1) *Inspectors' Preliminary Findings* report, and the settlement limits are to be revisited through the LDP process, as acknowledged in the LDP(2) *Preferred Strategy*.
6. Changes to the settlement limits should, ideally, be considered through the LDP process. However, LDP(2) is in the early stages of preparation and, as such, there is no prospect of an up to date development plan being in place in the near future. As a consequence, there is a local policy vacuum in respect of a strategy to meet the County Borough's pressing need to increase housing land supply.
7. Maintaining a 5YHLS is a key requirement of PPW. In this respect, taking account of TAN1, in the absence of an up to date UDP or an adopted LDP the Council is deemed to have a zero land supply. This position follows a trend of decreasing housing land supply. Taking account of the housing requirement of the LDP(2) *Preferred Strategy*, and the Council's most up to date

assessment of housing land supply, the Council's housing land supply, at the base date of 1 April 2016, stands at only 1.14 years.

8. The Council's continually deteriorating, and now critical, housing land supply position provides the circumstances for development beyond settlement limits to be allowed in advance of the LDP process. This is acknowledged by the Council in their resolution to grant planning permission for housing development on land south of the Miners' Welfare Institute beyond the settlement limit of Llay.
9. In this respect, an increase in housing land supply is needed now for two reasons – (i) For the Council to demonstrate at the LDP(2) examination that a 5YHLS will be in place at the point of the plan's adoption, in line with TAN1; and (ii) To ensure that current and future housing needs are met in accordance with the sustainable development principle and objectives of PPW.
10. In accordance with TAN1, the pressing need to increase housing land supply should be given considerable weight, whereas, taking account of PPW, only limited weight should be given to the UDP's now outdated settlement limits, and the policies that enforce them, which serve only to constrain housing land supply and, as such, contribute to the Council's deteriorating housing land supply position.

Appropriately sized and logical extension

11. It is accepted that the proposal will have a visual impact, as this is inevitable when greenfield sites are developed. In respect of the extent of the impact in landscape and visual terms, I rely on the evidence of Tom Hollick, who prepared the Landscape and Visual Appraisal that supported the application. This concluded that the impact would not be of significance to make the proposal unacceptable in landscape and visual terms.
12. My evidence supplements the evidence of Tom Hollick by demonstrating four points, as follows.

(i) There is an inevitable requirement to develop greenfield land

13. The UDP strategy, which focuses on the regeneration of built up area, has resulted in the majority of brownfield sites in the County Borough being developed. This is clear from the LDP(2) evidence base, and the lack of brownfield sites is a key issue underpinning the emerging policy of LDP(2), which sets out that it will be necessary to bring forward greenfield sites on land adjoining existing settlements in the most sustainable locations.
14. Whilst decisions on the development of greenfield land should, ideally, be considered through the LDP process, the Council's continually deteriorating, and now critical, housing land supply position provides the circumstances for development of greenfield land in advance of this

process. Indeed the Council is already relying on greenfield land beyond the settlement limit of Llay to meet its housing need, as demonstrated by their resolution to grant planning permission for housing development on land south of the Miners' Welfare Institute.

(ii) Llay is a suitable settlement for housing growth

15. The UDP identifies Llay as an Urban Village, capable of accommodating some additional growth. This is being carried forward to the LDP, underpinned by an evidence base that assesses the function of settlements and their potential to accommodate development. This evidence base identifies Llay as a Tier 3 Local Service Centre, within a five tier hierarchy, albeit with similarities to Tier 2 Key Settlements, given its important economic function.
16. Given the status of the settlement, together with the capacity of infrastructure to absorb growth and scope to build an integrated community, the proposed development of up to 365 dwellings represents an acceptable level of growth.

(iii) The site is a suitable site for development

17. The Home Farm site has been identified by officers within the Council as potentially suitable for development within the LDP(2) Site Register, and assessment of the site against PPW's criteria for deciding which sites to allocate for housing clearly demonstrates that it is a suitable site for development, including as it is in an accessible location and that there are no constraints to development that cannot be overcome by planning conditions or obligations.

(iv) The proposed development represents the next stage in the evolution of Llay

18. Llay has continually evolved over the last century in response to changing circumstances and requirements for employment and housing growth, and needs to continue to do so. The extension of the settlement by development of the Home Farm site is the next logical step, including as the site is adjacent to existing residential land uses, outside of the Green Barrier, free of constraints, and deliverable, with a sole landowner willing to sell the site for development and house builder interest.
19. In light of the above, and the evidence of Tom Hollick, the development represents an appropriately sized and logical extension to Llay, and, as such, there is no conflict with Policy PS2 of the UDP.

Other material considerations

20. The Council's continually deteriorating, and now critical, housing land supply position is a significant material consideration, given a key planning policy requirement of the Welsh Government is for local planning authorities to maintain a 5YHLS. In this respect the proposed

development will deliver market and affordable housing, over the next five year period, in the County Borough, and specifically the Western Border sub-area, where there is a demonstrated need for both. This is a significant benefit of the proposed development, and a benefit that is acknowledged by the Council.

21. The proposed development will also: enhance access to retail opportunities and green infrastructure, including children's play areas and linkages to the Rights of Way network; deliver construction phase and operational economic benefits; and bring about improvements to highway safety and efficiency, and biodiversity.
22. In addition to delivering social, economic and environmental benefits, the proposed development represents sustainable development for which there is a presumption in favour. These material considerations weigh in favour of the proposed development.

Planning Balance

23. The appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. The only policies advanced by the Council to support the refusal of planning permission are Policies PS1, PS2 and H5 of the UDP.
24. My evidence, together with the evidence of Tom Hollick, demonstrates that the proposed development is an appropriately sized and logical extension to Llay, and, as such, does not conflict with Policy PS2.
25. The proposed development falls outside the settlement limit of Llay and, as such, it is accepted that the proposed development technically conflicts with Policies PS1 and H5. However, my evidence demonstrates that these policies are outdated and superseded by other material considerations, with the Council's housing land supply position a significant consideration. As such, taking account of PPW, Policies PS1 and H5 should only be accorded limited weight.
26. On the other side of the planning balance, in line with TAN1, considerable weight should be accorded to the pressing need to increase housing land supply. As such, taking account of this alone, the balance is heavily in favour of the grant of planning permission.
27. In addition to housing, the proposed development will deliver wider social benefits, together with economic and environmental benefits, and represents sustainable development for which there is a presumption in favour. These are material considerations that add weight to the case to grant planning permission.
28. With the balance clearly in favour of the proposed development, it is respectfully requested that planning permission be granted.