

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT  
LAND SOUTH OF RIDLEYWOOD LANE AND EAST OF BRYN LANE  
WREXHAM INDUSTRIAL ESTATE**

**COUNCIL'S STATEMENT OF CASE**

**PLANNING REF: P/2016/0327**

**PINS REF: 3164652**

## **1.0 THE SITE**

- 1.1 The appeal site is a 20.61 hectare area of land located to the south of Ridley wood Lane and east of Bryn Lane.

## **2.0 PROPOSAL**

- 2.1 The appellants are seeking to vary conditions 2 and 3 of an extant outline planning permission to allow further time for the submission of reserved matters and commencement of development.

## **3.0 PLANNING HISTORY**

*Appeal site only*

- 3.1 P/2011/0891 OUTLINE APPLICATION FOR B8 STORAGE AND DISTRIBUTION WAREHOUSE DEVELOPMENT AND ASSOCIATED ECOLOGICAL MITIGATION AREA INCLUDING MEANS OF ACCESS OFF BRYN LANE AND LAYOUT. Refused 22.6.2012. Allowed on appeal 6.8.13

- 3.2 P/2016/0722 SUBMISSION OF RESERVED MATTERS (APPEARANCE, LANDSCAPING AND SCALE) IN RESPECT OF OUTLINE PLANNING PERMISSION P/2011/0891 (APPEAL DECISION APP/H6955/A/12/2188910 (GRANTED ON 06.08.2013). Approved 19.9.2016

*All of the land subject to Unitary Development Plan policy E3, including appeal site*

- 3.2 P/2008/0993 OUTLINE APPLICATION FOR B2/ B8 DEVELOPMENT AND ASSOCIATED ECOLOGICAL MITIGATION AREA, INCLUDING MEANS OF ACCESS AND SITING. Refused 6.7.2009. Split appeal decision – part allowed part dismissed 6.5.2010.
- 3.3 P/2013/0270 OUTLINE APPLICATION FOR B2 / B8 DEVELOPMENT AND ASSOCIATED ECOLOGICAL MITIGATION AREA INCLUDING MEANS OF ACCESS AND SITING - SECTION 73 APPLICATION TO VARY THE TIME LIMIT FOR SUBMISSION OF RESERVED MATTERS AND IMPLEMENTATION OF DEVELOPMENT (CONDITIONS 2 AND 3) OF PLANNING PERMISSION P/2008/0993 (RENEWAL). Pending. Committee resolution (1.7.2013) to granted subject to prior completion of planning obligation

## **4.0 LOCAL PLANNING CONTEXT**

- 4.1 The relevant development plan is the Wrexham Unitary Development Plan adopted 14 February 2005.
- 4.2 The following UDP policies are relevant:

- PS1
- PS2
- PS11
- GDP1
- EC2
- EC6
- E3
- T8
- CLF6

## **5.0 THE COUNCIL'S CASE**

5.1 The previous appeal was allowed to facilitate the expansion of a specific end user, Norbert Dentressangle Limited (NDL). Following that decision the site was put on the market for sale. By advertising the site for sale, it is clear the site was/is no longer required to facilitate the expansion of a specific end user so there has been a material change in planning circumstances. The original reason for granting permission to develop the site no longer exists and without sufficient justification for extending the lifespan of the planning permission, the development of the site will detrimentally affect the countryside and landscape. The proposals conflict with Wrexham Unitary Development Plan policies PS1, PS2, GDP1 and E3.

5.2 The Council respectfully requests the appeal be dismissed.

## **6.0 PLANNING CONDITIONS**

6.1 A copy of Annexe A of the previous appeal decision is appended to this statement. In the event of the Inspector being minded to allow the appeal, the Council respectfully requests it be subject to the same conditions as previously imposed.