

BERRYS

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PLANNING APPLICATION SUPPORTING STATEMENT (including Design & Access)

IN RELATION TO

THE PROPOSED DEVELOPMENT OF UP TO 12 DWELLINGS,
ON LAND OFF ELLESMERE LANE, PENLEY

R & C HOMES



RTPI
mediation of space · making of place



PLANNING APPLICATION SUPPORTING STATEMENT (including Design & Access)

APPLICANT'S DETAILS

R & C Homes Ltd

PROJECT

Outline Application for the development of
up to 12 dwellings

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1 INTRODUCTION

- 1.1 This planning statement has been prepared by Berrys on behalf of R&C Homes Ltd in support of an outline application for 12 dwellings off Ellesmere Lane, Penley.
- 1.2 The information contained in this document is supplementary to that provided on the completed planning application forms, and is to be regarded as forming part of the application. The information contained in this statement is also intended to assist the Planning Authority in the determination of the proposal.

2 BACKGROUND

- 2.1 The application site has been subject of two previous applications for residential development as part of larger schemes, as follows:
- Application reference P/2014/0264, for 68 dwellings; and
 - Application reference P/2015/0399, for 26 dwellings

- 2.2 Both of the above applications were refused, with the reasons for refusal of both applications being essentially the same, as follows:

- That the site is a greenfield site outside of the settlement limits for Penley and within a Special Landscape Area and the proposed developments represented illogical extensions to the settlement limit of Penley and undesirable visual intrusions into the Special Landscape Area;
- That the developments would not maintain the existing settlement pattern and would not accord with the character of the site or make a positive contribution to the appearance of the locality.

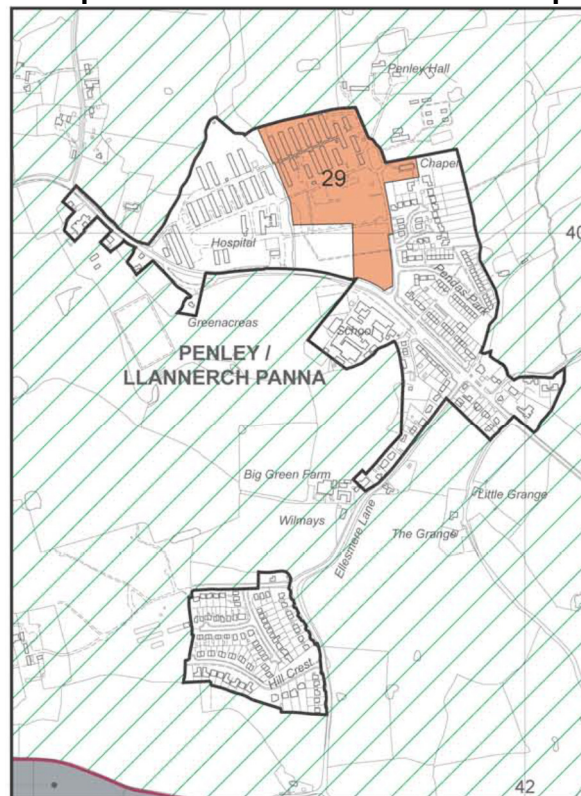
The current application therefore proposes a substantially revised scheme for the proposed development of the site that addresses these concerns.

- 2.3 We consider that the current application has addressed these above concerns and responded positively in providing a scheme that fits better with the character of the village and its rural surroundings. The proposed development meets many of the policy requirements of the UDP and helps Wrexham County Borough address its current shortage of a 5 year housing land supply in a positive manner, through a sustainable development in a suitable village.

3 LOCATION IN RELATION TO PENLEY

- 3.1 The site lies between the settlement limit for the village on Penley and the outlier settlement limit for the housing estate at Hill Crest to the south of the site, as shown on map 1. As such it forms a natural link between the outlying housing estate and the rest of the village. This would be a natural direction of growth for the village, with the secondary school in the centre of the village.
- 3.2 All the land outside the settlement limit is designated as Special Landscape Area, shown hatched green on map 1. This designation covers extensive parts of the County Borough. Apart from the Special Landscape Area, the site is not affected by any other designations, as it has no specific heritage or natural environment features.

Map 1: Extract from UDP Policies Map



26. Penley / Llanerch Panna

Map 2: Google Earth Aerial Image identifying the site



4 THE PROPOSED DEVELOPMENT

4.1 *Nature of the Development Proposal*

- 4.1.1 The proposal is the residential development of part of a green field site in the settlement of Penley, which is identified as a location where housing growth is acceptable in the Wrexham Unitary Development Plan.
- 4.1.2 Whilst this application is in outline at this stage, with all matters reserved apart from access, an indicative layout accompanies this statement which identifies that the site can accommodate up to 12 dwellings.
- 4.1.3 Whilst the form and layout of the development will be finalised as part of any reserved matters application for the site, in order for the proposed development to respond sensitively to the local vernacular and ensure that the proposed scheme does not result in any unacceptable adverse impact that outweighs the benefits to be gained, a number of design principles and concepts are considered appropriate to the development site as follows.

4.2 *Design Principles and Concepts*

4.2.1 Character (including appearance, layout, scale, amount and landscaping)

It is envisaged that the proposed development will respond to the local vernacular of the development as it will:

- Comprise of two storey dwellings to echo the existing development in this locality;
- Consist of 12 dwellings, a scale and density of development of development that can be easily accommodated into the settlement, reflecting other recently permitted developments in the settlement, whilst also ensuring the efficient use of land;
- Be accessed from a single access point off Ellesmere Lane; and
- Be constructed from facing brickwork with slate or tile roofs and painted timberwork.

Whilst the application is in outline, with layout, scale and appearance reserved matters, the indicative site layout identifies that, it is envisaged, the site will comprise of 12no. 2/3 bedroom semi-detached houses (75m², 7.5m x 5.5m).

Eaves heights will be approximately 4.8m with ridge heights at up to 9m. Garages will be up to 18m² (6m x 3m) with eaves heights of 2.2m and ridge heights of 5.35m approximately.

The proposed development will therefore represent a reinforcement of the character and built form of the settlement and provide additional dwellings promoting choice and variety in the dwelling stock.

The site is bounded hedgerows and the development proposal affords the opportunity to enhance this with additional native landscape planting on site which will assist in integrating the development into its landscape setting and protecting the residential amenity of both the existing dwellings neighbouring the site and the proposed dwellings on site.

4.2.2 Environmental Sustainability

- Efficient Use and Protection of Natural Resources

The development site itself is agricultural land that is relatively flat and level in nature and is predominantly free from development constraints. Dwellings on the site will be able to take advantage of passive solar heating and solar energy installations may be included within the detailed design of the development. The proposed development comprises of semi-detached dwellings at a density that makes appropriate use of this site. Native landscape planting on the site will improve shelter in this location and will therefore assist in reducing energy loss.

- Landscaping & Biodiversity

The site adjoins the settlement and lies between two significant clusters of development. Existing built development and vegetation help to enclose the site and limit public views of the site from the north and south.

The proposed development will include native landscape planting to enhance the ecological value of the site and assist in screening the site from public views to the east and west.

It is therefore contended that the site has a minimal impact upon its wider environment and landscape setting.

- Utilities and Drainage

The site can be served by mains electricity, foul drainage and water infrastructure.

Surface water will be attenuated prior to soaking away and porous surfacing will be used where appropriate. Such methods of surface water drainage are considered to be the most environmentally sensitive disposal solutions available for the development proposal.

4.2.3 Movement

The extensive range of services and facilities provided in Penley are within easy walking distance of the development site as the site is located adjoining the main body of the settlement that contains the majority of its existing services and facilities.

In addition, the proposed development is situated adjacent to a public transport corridor and is well served by Bus Service No. 146 linking Wrexham – Overton – Whitchurch. Bus stops for this service are located in Penley on the A539 approximately 350m from the application site.

The proposed development will therefore encourage walking, cycling and the use of public transport.

4.2.4 Community Safety

The proposed development is considered to enhance community safety in this location, as it:

- Reinforces the form of the village, improving natural surveillance in this area; and
- Reinforces the cluster of development within which the site is located and therefore increases a driver's perception of being within a settlement.

4.3 Access

A single access point into the development site will be provided from Ellesmere Lane that will include for pedestrians, cyclists and motorists and car parking will be provided in accordance with the current standards identified in the Local Guidance Note on parking standards.

Given the scale of the development proposal and the proposed location of the access, it is considered that the proposal will not give rise to any adverse effects. Whilst the

surrounding highways infrastructure is considered to be more than adequate to serve the proposed development.

Given the relatively flat and level nature of the site, access for disabled persons can be readily achieved and, similarly, the proposed dwellings will be constructed to meet disability access requirements.

5 PLANNING POLICY

5.1 Local Planning Policy

- 5.1.1 The Wrexham Unitary Development Plan (UDP) covered the period 1996-2011. The UDP is therefore out of date and Planning Policy Wales makes clear that where development plan policies are considered to be outdated “local planning authorities should give the plan decreasing weight in favour of other material considerations such as national planning policy, including the presumption in favour of sustainable development” (PPW paragraph 2.8.4).
- 5.1.2 Whilst limited weight can be given to UDP policies, it is noted that the Council’s decisions on the previous applications cited policies PS1, PS2, PS3, PS4, GDP1, EC5 and H5 as reasons for refusal. By reducing the scale of the proposed development to 12 dwellings it is contended that the current application addresses these concerns. A summary table is provided below.

Policies considered relevant by the Council in previous applications	Assessment of the current application
Special Landscape Areas Policy EC5 Within Special Landscape Areas, priority will be given to the conservation and enhancement of the landscape. Development, other than for agriculture, small-scale farm-based and other rural enterprises, and essential operational development by utility service providers, will be strictly controlled. Development will be required to conform to a high standard of design and landscaping, and special attention will be paid to minimising its visual impact both from nearby and distant viewpoints.	The reduced scale and design of the proposed development ensures that a significant part of the Ellesmere Lane frontage of the field, within which the application site is located, will remain undeveloped. The element of the proposed development that does front Ellesmere Lane will appear as linear development. The proposed development would therefore appear as a “low density, linear development that characterises this part of Penley” (<i>Appeal Decision APP/H6955/A/15/3139131, paragraph 10</i>) and a significant part of the agricultural land between the residential properties on the

	western side of Ellesmere Lane and Tudor Drive will remain undeveloped. The proposed development will blend into the existing built environment that adjoins the site, whilst retaining an open aspect to this part of Ellesmere Lane and a visual break in development between the two clusters of development that comprise the settlement. In addition, the design and landscaping elements are reserved matters that will be addressed in greater detail at a later stage, but we fully expect these elements to enhance and soften views of the site. It is therefore contended that the proposed development will not have any unacceptable adverse impacts on the landscape.
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	The proposed development site constitutes a small scale extension to the existing built form of the settlement of Penley, located adjoining the settlement boundary and within a gap between Penley village and the suburban housing estate to the south of the village. The lack of a 5 year housing land supply requires a more flexible approach, in order to ensure that Wrexham County Borough can meet its housing requirements.

form, bulk, design and materials which reflect the locality's rural character. Any permission will be conditioned to limit residential occupancy to essential workers.	
Settlement Limits Policy PS1 New development for housing, employment, and community services will be directed to within defined settlement limits/employment areas.	While not inside the Penley settlement limit, this site lies adjoining the main village settlement boundary.
Development and the Environment Policy PS2 Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.	The reduced scale and design of the proposed development ensures that a significant part of the Ellesmere Lane frontage of the field, within which the application site is located, will remain undeveloped. The proposed development will also appear as low density, linear development echoing existing built development in this part of Penley. The proposed development therefore preserves both the landscape and townscape character of Penley and will not result in any unacceptable adverse impacts on the quality of the natural environment.
Brownfield Land 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	The lack of a 5 year housing land supply requires a more flexible approach, in order to ensure that Wrexham County Borough can meet its housing requirements. The application site has no great ecological, landscape, amenity or soil value.

land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.	
Settlement Pattern 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.	Penley is one of the rural villages identified in the UDP and development in this location supports the settlement strategy contained in the Plan. As previously detailed, it is contended that the proposed development preserves both the landscape and townscape character of Penley. Penley is served by public transport and has village services, reducing the need for car-borne transport.
Development Objectives Policy GDP1 All new development should:- a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality. b) Take account of personal and community safety and security in the design and layout of development and public / private spaces. c) Make the best use of design techniques, siting and orientation in order to conserve energy and water resources. d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.	The proposed development meets this policy in the following regards: a) As previously detailed, it is contended that the proposed development preserves both the landscape and townscape character of Penley. In addition, whilst design and landscaping are reserved matters, it is anticipated that these elements will enhance and soften views of the site. b) & c) Detailed design will be to a high standard, with details to be submitted as reserved matters. d) Pedestrian & vehicular access is acceptable.

e) Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible. f) Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development. g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost. h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest. i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site. j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity. k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.	e) Bus stops are approximately 350 metres away. Pedestrians and cyclists can access the facilities in Penley with ease. f) No pollution is anticipated. g) The site is easily serviced with utilities available in close proximity to the site. h) The site is currently agricultural. No wildlife habitats will be lost. i) The site is not subject to flood risk or other environmental dangers. j) The development will not harm the Welsh identity. k) The development will help secure more sustainable communities by providing 3no. affordable homes for rent and widening the choice of market homes in the area. Residents of the development will contribute to the economic and social life of the village.
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5.1.3 Any remaining conflict with local planning policy is outweighed by other material considerations, as discussed in more detail below.

5.2 *National Planning Policy*

5.2.1 Planning Policy Wales (PPW) provides a presumption in favour of sustainable development. Where Local Plan policies are out of date, PPW is given more weight in the determination of individual planning applications (PPW paragraph 2.8.4).

5.2.2 The principles underpinning PPW's definition of sustainable development are set out in PPW paragraph 4.3.1. The application meets PPW's sustainability criteria in the following ways:

- Putting peoples' quality of life at the centre of decision-making – the application does this by providing a range of housing to give better local choice of housing, whilst retaining and enhancing the character and appearance of the locality, including views of the countryside from Ellesmere Lane and its openness;
- Engaging with people – the applicant has significantly revised the scheme in response to the comments received on previous applications and in response to comments received during the statutory pre-application consultation process, as detailed within the Pre-Application Consultation Report that accompanies the application;
- Meeting today's as well as future needs – the application meets an urgent need for housing, in a situation in which Wrexham County Borough has less than a five year housing land supply combined with strong demand as demonstrated by the Council's own population projections and viability assessment;
- Respecting environmental limits – the site has no particular ecological or historic value, and is not best and most versatile agricultural land. In light of this, it is a relatively low value site in environmental terms;
- Tackling climate change – development in this location allows people to use alternatives to the car, contributing to greener lifestyles. The proposed

dwellings will be built to high environmental standards with minimal carbon emissions;

- Applying scientific knowledge, the polluter pays, precautionary and proximity principles to environmental damage – the development will not damage the environment, but rather contribute a quality built environment with associated landscaping and gardens that enhance the natural environment;
- Considering costs and benefits of the development – the long term benefit of providing sufficient housing for the population is a very significant consideration that weighs heavily against the minor loss of modest value grazing land;
- Working in collaboration – the applicant will work with a local housing association to provide affordable housing on the site, as well as responding to comments from others in relation to the reserved matters of scale, layout and design of the scheme.

5.2.3 We conclude that the proposed development is consistent with the principles and policies of Planning Policy Wales.

6 OTHER MATERIAL CONSIDERATIONS

6.1 *Housing Land Supply*

- 6.1.1 The Welsh Government requires local planning authorities to maintain a 5-year supply of readily developable housing land, as set out in paragraph 9.2.3 of Planning Policy Wales. Each local planning authority must provide an agreed statement of residential land availability for development management purposes and set out the action to be taken in situations where an insufficient supply is identified.
- 6.1.2 Wrexham's 5-year housing land supply position is set out in its Joint Housing Land Availability Study published 31st January 2015. This identifies that Wrexham County Borough has only a 3.1 year supply. Furthermore, Welsh Government's Technical Advice Note 1 (TAN 1) advises that where a local planning authority (LPA) does not have an up to date Unitary Development Plan (UDP) or an adopted LDP, the 5 year supply is considered to be zero.
- 6.1.3 Failure to have a 5-year housing land supply is an important material consideration when determining planning applications. TAN 1 (paragraph 6.2) 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 national planning policies.
- 6.1.4 For sites to contribute towards the 5 year housing land supply, sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development. The site is relatively level thus making it a comparatively straightforward site to develop. The entire site is within the ownership of the applicant and there are no ownership issues that would prevent the site from being developed. Penley presents no financial viability issues as a location for development, and the site is eminently deliverable, being located in the 'Rural East' sub-area which is the second most viable area of the County Borough according to the Council's recent Development Viability Assessment (November 2014). In light of these considerations, the site at

Ellesmere Lane, Penley, can demonstrate that it will make an immediate contribution to meeting Wrexham's requirement for a 5 year housing land supply.

- *The Emerging LDP*

6.1.5 A replacement Local Development Plan (LDP) for 2006-2021 was submitted to the Planning Inspectorate in 2011 but was withdrawn in 2012 after the Inspector considered there to be fundamental flaws in the plan strategy, including a significant shortfall in the supply of housing and an unjustified blanket approach to landscape protection. A second attempt is currently underway to produce a LDP for 2013-2028, with a Deposit draft LDP expected in 2016. No weight can be afforded to the emerging LDP at the current time.

6.1.6 In order to provide sufficient housing land to meet Wrexham County Borough's needs to 2028, the LDP is expected to roll back some of the Special Landscape Areas and extent some of the settlement limits. In light of this, the existing boundaries of these areas should be regarded as in flux.

6.1.7 The evidence base for the emerging LDP includes population projections that forecast an increase in Wrexham County Borough's population of 17,889 over the period 2013-2028, averaging approximately 1,193 per annum (Wrexham Council Topic Paper 7: Population and Housing, March 2014, Page 14). This is a significantly higher annual rate than the average number of homes built per annum in the past 5 years, which was an average of 287 homes per annum 2009-2014. In light of these figures it is clear that more housing land is urgently needed to meet local housing needs.

6.2 *Planning Consents P/2014/0738 and P/2015/0405*

6.2.1 Two planning applications for residential development have recently been approved by the Council in close proximity to the application site, namely:

- P/2014/0738: Application for Outline Planning Permission for residential development of 7no. detached dwellings and new access points onto Tudor Drive (layout and access not reserved)
- P/2015/0405: Outline application for the erection of 9 dwellings with access onto Ellesmere Lane – All matters reserved except access and layout.

Both of these applications are directly comparable to the development subject of this application in terms of location, as both are located along Ellesmere Lane, outside of

Penley's settlement boundary, on greenfield sites and within the Special Landscape Area.

- 6.2.2 The Case Officer reports for both of these applications conclude that "Whilst representing a departure from two of the policies of the adopted UDP (PS3 and H5), the development of the site is justified in this instance as contributing to the 5 year land supply whilst at the same time being in a sustainable location and providing an acceptable form of development".
- 6.2.3 It is therefore contended that, as demonstrated by applications P/2014/0738 and P/2015/0405, the application site is an acceptable form of development in a sustainable location and the lack of a 5 year land supply outweighs the site's location outside of the settlement boundary and within the Special Landscape Area.

7 PLANNING APPRAISAL

- 7.1 Development of the site would broadly accord with the presumption in favour of sustainable development set out in Planning Policy Wales (PPW).
- 7.2 The UDP 1996-2006 is now time-expired and therefore its policies have limited weight. Greater weight should be afforded to PPW in the assessment of this application.
- 7.3 *Sustainable Location*
- 7.3.1 The site is in a broadly sustainable location on the edge of the existing settlement. It is within short walking distance of the village centre, with the main road through the village being only 300 metres distant. The village is served by a good range of community services and facilities.
- 7.3.2 There are good employment opportunities in the village, with Penley Business Park and Industrial Estate less than 1 kilometre walk from the site.
- 7.3.3 Penley is served by the No. 146 regular hourly bus service between Wrexham – Marchwiel – Penley – Whitchurch. This provides residents with sustainable transport options for accessing wider employment opportunities.
- 7.4 *Special Landscape Area*
- 7.4.1 A significant amount of land across the County Borough is designated as a Special Landscape Area, including all the land around Penley. However the weight that can be given to this widespread blanket designation is limited. The Planning Inspectorate's examination of the draft Local Development Plan in January 2012 highlighted the fact that the Special Landscape Areas would need to be reviewed in the replacement Local Development Plan, with a view to identifying suitable sites for development within these Special Landscape Areas. The Inspector noted that there is a lack of evidence that housing growth would cause unacceptable social and environmental impacts, and in any regard any perceived harm must be weighed against the potentially detrimental impacts that would arise from restricting housing growth.

7.4.2 It is questionable whether the extensive areas that were designated in the Wrexham UDP as Special Landscape Areas meet the criteria set out in Planning Policy Wales that such designations, “*should be soundly based on a formal scientific assessment of the nature conservation, landscape or geological value of the site. Local planning authorities should apply these designations to areas of **substantive conservation value** where there is good reason to believe that normal planning policies cannot provide the necessary protection. **Such designations should not unduly restrict acceptable development**”* (emphasis added) (PPW paragraph 5.3.11). In light of this discrepancy with the requirements of Planning Policy Wales, the designation should be afforded little weight.

7.5 *Environmental Impacts*

7.5.1 The site is grade 3 agricultural land, so is not the best and most versatile in the County Borough, which is the grade 1 & 2 land around Wrexham town. There are no adverse environmental impacts on ecology. New hedge and tree planting will soften the development in the landscape, contributing to landscape quality.

7.6 *Social and Economic Benefits*

7.6.1 The proposed development will provide an appropriate level of affordable homes among the 12 units (anticipated to be 3 dwellings), making a contribution to meeting local affordable housing needs.

7.6.2 Future residents will help support Penley’s services and facilities, aiding the village’s economy. Direct and indirect benefits will arise from the economic activity of the construction project and the long-term economic activity of new households. For example, each dwelling represents around £100,000 of construction investment, and every £1 spent on construction generates a total of £2.84 in indirect economic investment (Construction in the UK Economy: The Benefits of Investment, LEK Consulting for Contractors Group, Nov 2011), most of which is generated in the local area.

7.6.3 New households will contribute directly to the local economy with an average household expenditure of £4,875 per household on food, £7,575 per household on non-food and £4,040 per household on leisure goods and services (Experian Retail Planner Data, May 2012, <http://www.experian.co.uk/goad/retail-planning.html>). The new households will help the vitality and viability of Penley’s services.

8 CONCLUSION

- 8.1 The key test is whether the proposal would represent sustainable development and the lack of a 5 year land supply is a significant material consideration in favour of the site being developed.
- 8.2 We consider that the proposal represents sustainable development and that the application should therefore be approved for the following reasons:
- The development will contribute to meeting Wrexham County Borough's housing requirements, including provision of affordable dwellings and extending the local choice of housing available.
 - Penley is recognised in the Development Plan as a sustainable settlement. The proposed development will assist this rural community in becoming more sustainable by providing a mix of housing types to help meet the needs of the community and helping to sustain local services.
 - The site is well related in both physical and visual terms to existing development and it would be a logical extension to the village. It is a sensitively designed scheme that is appropriate to the village and in keeping with its existing character.
 - Visual intrusion into the countryside is minimised by the significant reduction in the scale of the development compared to that previously proposed (from 68 to 12 homes), with a reduced site area so that the proposed development ensures that a significant part of the Ellesmere Lane frontage of the field, within which the application site is located, will remain undeveloped and that the proposed development will appear as low density, linear development echoing existing built development in this part of Penley.
 - There are no significant adverse impacts that outweigh the need for housing.
- 8.3 In conclusion, the proposed development should be considered in the context of the presumption in favour of sustainable development. The site represents an appropriate form of sustainable development to be encouraged and supported. We therefore respectfully request that Wrexham County Borough Council view the application favourably.