

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable for it. This can be found in the notification letter sent out by the local planning authority or the start date letter for it.

Comments submitted after the deadline may be considered invalid and returned to sender.

DETAILS OF THE CASE

Case Reference: **APP/H6955/A/14/2228984**

Address of site

Talwrn Farm
Talwrn Road
Legacy
Wrexham

Postcode

LL14 4ER

Grid Reference: Easting

3294049

Northing

3478684

SENDER DETAILS

Name

Mr P Davies

Acting On Behalf Of

N/A

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

Interested Party / Person

What kind of representation are you making?

Interested Party/Person Correspondence

YOUR COMMENTS ON THE CASE

Please provide your representation below.

Regarding the appeal for the erection of an egg barn at Talwrn Farm, Legacy, Wrexham.

We wish to lodge our objection to this proposed development.

The County Councillors, the Community Councillors and the local residents are all united in their objection to this development!

The original objections that we have to this development still apply, namely:-.

I have lived in this area for in excess of seventy years, approximately forty of those directly opposite the proposed site. This has not been a working farm for all that time. There can be no evidence to support the claim that this is a diversification scheme. I challenge the Council officers to produce any evidence, such as farm accounts, to support the claim that this is a

YOUR COMMENTS ON THE CASE (Continued)

working farm and satisfies the diversification policies which are cited in the report. Council Planning Policy EC3 of the adopted Wrexham Unitary Development Plan, The Welsh Government's TAN 6 both state that the development should be part of an existing farm complex (that land immediately surrounding the farm house or dwelling) and be 400metres or more from protected buildings which include residential dwellings. There are residential dwellings within 150 metres of the proposed development - not the farm buildings you will note. These are to the side of the site and not in line to receive the prevailing winds. The application is in direct contravention to both of these policies. The scale of the proposed building would be in a sensitive location away from the farm buildings and be a visual intrusion in a Special Landscape Area.

This also is in direct contravention to the Welsh Assembly Government's "Planning for Sustainable Rural Communities" which goes on to say "...permitted development rights do not extend to buildings to be used for accommodation of livestock, or to associated structures such as slurry tanks and lagoons, when these are to be built within 400 metres of the cartilage of a protected building. This restriction applies to new buildings and structures erected under Part 6 of the G.P.D.O. since 1992, and to those extended or altered under Class B".

Some dwellings are in a direct line with the proposed building in relation to the prevailing wind. The risks of pollution / illness from odour, dust, vehicle movements and vermin are therefore very real. We are told that large fans will disperse the heat, odours and whatever else from the barn, where do they think that will go?

Access to the site will be via the B5097 which already has flooding issues as a result of increased run off from the work carried out on the adjoining fields. No flood risk was carried out before this work was undertaken. The construction of a new access across the field, as identified by Natural Resources Wales will increase the surface area of impermeable ground increasing still further the rapid run off of water. The applicants state that the development is not within 20metres of a watercourse, why have the Council not identified at least two watercourses within the curtilage which feed into the brook at Pentre Bychan. No flood risk assessment has, again, been provided.

Access to the farm is on a corner which gives limited visibility of oncoming traffic. This falls significantly short of the minimal requirements for safety, especially if Technical Advice Note 18 is applied. The Planning Department have acknowledged that the new access contravenes Policy GDP1 (f). If there is an increase in large vehicular movement it follows that there will be increased risk of accidents. Who therefore will be held legally responsible for those accidents if the Council has sanctioned approval?

The approach and surrounding roads have been deemed to be "substandard" by the Council and unsuitable for an increase in heavy goods vehicle traffic. In addition to their unsuitability for heavy goods, these roads are extremely dangerous for walkers who have no footpaths to use for their own safety.

There are instances in the report where the Council state that "conditions" will be imposed. Are the Council able to delegate their legal responsibilities to third parties, responsibilities which they have no power to enforce?

The site is ecologically sensitive, with an abundance of bats, great crested newts, owls and woodpeckers and a survey should be undertaken by the Council. The survey dated 2014 states that avoidance measures should be undertaken "by condition". Again no conditions are imposed within that report!

Approximately four metres of hedgerow and a very large tree have been destroyed to widen the access point showing scant regard for ecology or planning permission which was sought retrospectively. To quote the Planning Officer on the 29th of July 2013 - "One of the main ecology features is confirmed to be the current hedgerows. It is noted that these proposals do not show that these will be affected...."

We feel very strongly that this application is in direct contravention to policies meant to protect the environment and the local inhabitants. They were established by the Welsh Assembly and the local Wrexham County Council and should therefore be refused.

Yours faithfully,

Iola and Peter Davies.