

DESIGN AND ACCESS STATEMENT

Proposed Residential Development

at

MINERA HALL ROAD
MINERA
WREXHAM
LL11 3YE



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1.0 INTRODUCTION.

1.1

This Design and Access Statement has been prepared in support of an application for outline planning permission for residential development on land to the north of Minera Hall Road, Minera near Wrexham including means of access and provision of public open spaces in accordance with the submitted illustrative site layout drawing and other information supplied.

1.2

This statement meets the statutory requirements of Article 4D of the Town and Country Planning (General Development Procedure) Order 1995, as inserted by the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2009, and has been prepared in accordance with the guidance set out at Appendix 1 of Technical Advice Note (TAN) 12: *Design*, issued in 2009.

1.3

This Design and Access Statement provides an analysis of the application site and sets out the principles that have guided and informed the design.

2.0 DESCRIPTION OF THE SITE AND SURROUNDINGS

2.1

The application site comprises an irregularly shaped parcel of land immediately to the north of the B5426, Minera Hall Road and with extensive frontage to this B road. The site rises up from the southern boundary frontage with Minera Hall Road to the north and comprises agricultural land which is grazed. The site amounts to approximately 1.9 Hectares or 4.7 Acres.

2.2

The application site comprises Green Barrier and is located outside the settlement of Minera as defined by the Adopted Wrexham Unitary Development Plan. The site lies adjacent to the eastern extremity of the settlement of Minera and to the existing built development in this location. Whilst development of the application site would represent an intrusion into open countryside, the site is well related to the existing development to the south and west and comprises a logical extension to the village of Minera which would not unduly harm the openness of the Green Barrier in this location.

2.3

The site is served by a substantial frontage to Minera Hall Road. Minera Hall Road is well served by public transport services with easterly and westerly bus stops being located adjacent to the southern boundary of the site. The site can therefore clearly be shown to occupy a most sustainable location.

2.4

The site is punctuated by a number of mature trees most notably situated along the southern boundary and is also crossed by two watercourses / field ditches. The proposals therefore seek to retain all significant trees and create “habitat Corridors” from north to south along the lines of the watercourses in order that the character and appearance of the site is not unduly altered or compromised and that habitat potential is maximized following the development of the site.

3.0 THE PROPOSAL.

3.1

The proposal is to develop the site by means of the erection of a significant number of residential dwellings as an extension to the village of Minera whilst retaining the existing natural features of importance such as the mature trees which occupy the site and the open watercourses. The proposed north eastern boundary of the application site has been determined in consultation with planning officers in order to assimilate the proposed development in to the landscape and to minimize the potential for coalescence between the village of Minera and the commercial area of Five Crosses to the north of Coedpoeth.

3.2

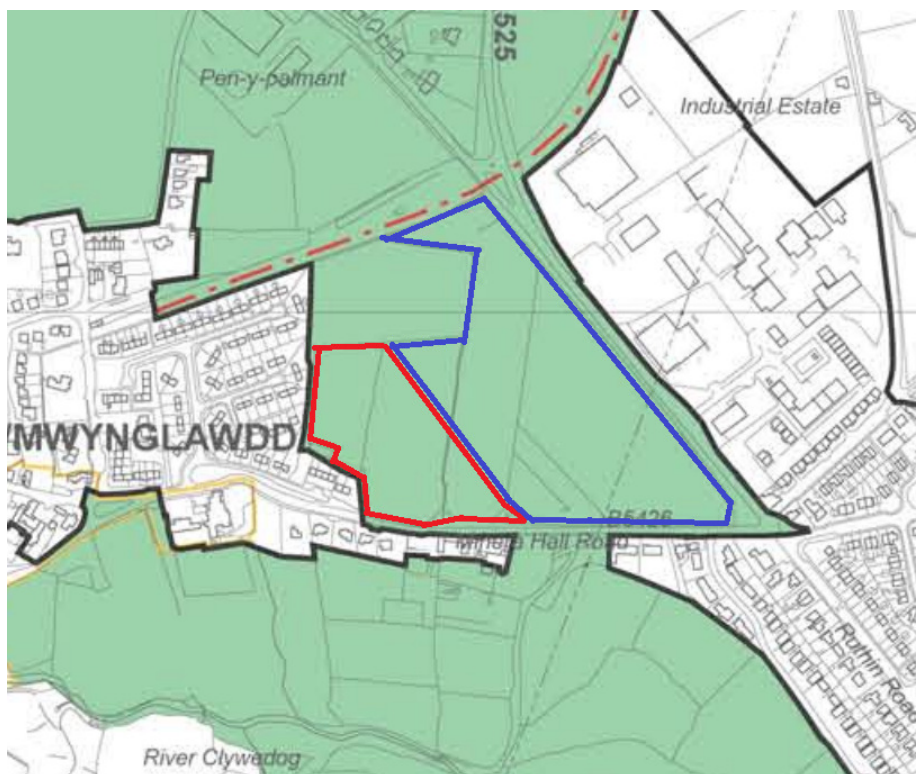
Illustrative layout details are included with the application which indicate the proposed suggested siting of the new dwellings with a strong frontage on to Minera Hall Road save for the areas of the site frontage which are densely populated by mature trees in order to tie the development to its surroundings and to create an identity for the proposed development. Access will be gained by means of a new access road located to the western side of the site frontage which is to be constructed to County Council Adoptable Standards. The principles referred to above are set out in the drawings included with the application.

4.0 PLANNING POLICY CONTEXT.

4.1

The site is located outside any recognised settlement and is designated as Green Barrier as defined by the Adopted UDP (Policy EC1). Accordingly development of the site would be contrary to adopted, local Planning Policy. However Local Planning Authorities are only required to determine applications in accordance with adopted Local Planning Policy Guidance

unless material considerations indicate otherwise. Indeed the LPA considered a proposal for residential development on a site to the south of Chestnut Court, Summerhill in August of 2014. In his report to Planning Committee the Planning Officer wrote “*Ordinarily I would recommend planning permission be refused for proposals that represent such a clear departure from UDP polices however the Council is only required to determine planning applications in accordance with an adopted development plan **unless material considerations indicate otherwise.***” The Officer’s report went on to say “*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.*” Accordingly the report to Members of the planning committee in this particular case was “*Whilst representing a departure from the policies of the adopted UDP the development of the site is justified in this instance due to the lack of a 5 year land supply in Wrexham, the sustainable location of the site and the fact that an acceptable form of development is achievable.*” The same set of circumstances apply to the application site and this is therefore the fundamental starting point for determination of this application for planning permission.



Extract from Inset Map 5 of the Adopted UDP.

4.2

Accordingly and in addition to the above, the following Policies contained in the Adopted Unitary Development Plan are relevant considerations in this matter :-

Policies PS1, PS2 and PS3 – Broad Location of New Development.

Policy GDP1 – General Development Principles.

In addition to the above and of overriding interest, Chapter 9 of Planning Policy Wales, Development Plans and New Housing Provision.

4.3

It is the applicant's position and contention that PPW Chapter 9 outweighs adopted local plan policy objections to the provision of residential development on the subject site in terms of the overall principle of development. The lack of 5 year housing land supply in the County Borough of Wrexham is a material consideration in the determination of planning applications. The actual housing land supply in Wrexham in late 2013 amounted to 3.5 years which falls significantly short of the requirement and is therefore in contravention of this National Planning Policy which is set out below :-

*"9.2.3 Local planning authorities must **ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing** judged against the general objectives and the scale and location of development provided for in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study. The Welsh Government will monitor development*

plans and their implementation to ensure that sufficient housing land is brought forward for development in each local planning authority and that economic development and related job opportunities are not unreasonably constrained.”

4.4

It is interesting to note that the Policy is not written to require that Local Planning Authorities “**should**” ensure that a 5 year supply of housing land is available but rather this requirement is absolute and LPA’s “**must**” ensure that this is the case. Ordinarily planning permission would not be granted for proposals that represent a departure from adopted UDP policies. However, Local Planning Authorities are only required to determine planning applications in accordance with the adopted development plan unless material considerations indicate otherwise. On this basis, National Planning Policy carries significantly more weight than the locally adopted planning policies which limit development outside settlement boundaries when considering the acceptability of the overall principle of development on the application site. Accordingly the principle of development on the application site is supported by National Planning Policy Guidance having regard to the current lack of a 5 year housing land supply which currently stands at 3.4 years as identified in the most recently published Joint Housing Land Availability Study, and the pressing need to increase the supply of housing land in the County Borough. It is also key to note that the application site is free any constraints which would delay the commencement of development in the short term, making the contribution to housing land supply available in the short term.

4.6

Further to Paragraph 9.2.3 of PPW Chapter 9, paragraph 9.2.8 goes on to state that :-

*“In identifying sites to be allocated for housing in development plans, local planning authorities should follow a **search sequence**, starting with the re-use of previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links.”*

4.7

Further to the provisions of Paragraph 9.2.8, Paragraph 9.2.10 goes on to state :-

“In determining the order in which sites identified in accordance with paragraph 9.2.8 above should be allocated, the presumption will be that previously developed sites or buildings for re-use or conversion should be allocated before Greenfield sites. The exception to this principle will be where previously developed sites perform so poorly in relation to the criteria listed in paragraph 9.2.9 as to preclude their use for housing before a particular Greenfield site.”

Notwithstanding the fact that paragraphs 9.2.8 and 9.2.10 of PPW Chapter 9 refer to a search sequence to be followed by LPA's in allocating sites for residential development, the fact that the lack of a 5 year housing land supply as required by paragraph 9.2.3 is a material consideration in the determination of planning applications means that the same search sequence is relevant and applicable when an unallocated site is being considered as part of an application for planning permission. Accordingly, this criteria is relevant and applicable in the case of the application site and in terms of National Planning Policy, the development of this site is acceptable in principle and development of the site as proposed will make a valuable contribution to housing land supply in the County Borough without detriment to the character and appearance of the area.

4.8

Further to an analysis of the development of the application site in accordance with the search sequence set out in paragraph 9.2.8, it is relevant to consider that the site is located on the B5426 at a location which is immediately adjacent to bus stops on both the east and west bound routes. The site is in an accessible location with good access to public transport facilities. This application site is therefore in a sustainable location for development with good public transport links to the centre of Wrexham and beyond.

4.9

In terms of adopted local planning policy, Strategic Policies PS1, PS2 and PS3 set out requirements for the location of new development in broad terms. Policy PS1 states that :-

“New development for housing, employment and community services will be directed to within defined settlement limits / employment areas.”

Policy PS2 requires that :-

“Development must not materially detrimentally affect countryside, landscape / townscape character, open space or the quality of the natural environment.”

Policy PS3 states that :-

“Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of Greenfield land, whenever possible, particularly so where Greenfield land is of ecological, landscape or amenity value or comprises agricultural land of grades 1, 2 or 3a quality.”

4.10

Taking all three of these strategic local planning policies together, whilst the site is not within a defined settlement limit, the development of the site as

proposed will not harm the openness of the countryside or landscape character in this location. This is because the site is well related to the existing built environment to the west and south and can be shown to form a logical, well related extension to the existing settlement. A search of other potentially available land for residential development in Minera has failed to show any alternative land which is unencumbered and available for development in the short term. Additionally, the western side of Minera is characterised by a Conservation Area within which the development of land, if indeed land was available for development, would be particularly sensitive and constrained. The site does not represent the highest quality agricultural land and whilst greenfield in appearance, is not particularly ecologically sensitive as evidenced by the ecological assessments which accompany this planning application. The development of the site as proposed can be shown to be in compliance with Policies PS2 and PS3 and the lack of a 5 year housing land supply as required by PPW Chapter 9 outweighs the requirement of Policy PS1 to direct new development to within defined settlement limits.

4.11

Policy GDP1 in the Adopted UDP sets out a prescriptive list of development principles which are to be considered in the design of all developments where the principle of development is acceptable to the LPA. The sections relevant to the application include the following :-

- 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.*
- d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and the nearby locality.*

- 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.*
- g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.*

4.12

In accordance with this particular policy, the proposed development will be designed in context with the setting with a strong frontage to the B5426. A range of detached and semi-detached dwellings will respond to the character of the setting and will constitute a range of housing types which respond to the needs of the market in this area. Consequently, it is envisaged that the dwellings will be readily saleable and will contribute significantly to the shortage of new housing within the short term. Additionally the development of the site will create up to 13 or so affordable homes in accordance with adopted Local Planning Policy, a provision that will meet a need for affordable housing in the short term.

4.13

Personal and community safety and security are important elements in the design of any new development. The proposed development will improve the safety of the community by increasing the natural surveillance provided by new occupants. Further development of new homes will enhance the natural surveillance of the area and develop a greater sense of community in this particular location.

4.14

The site is located in a sustainable location on a public transport route and in close proximity to existing amenities located in the neighbouring village of Coedpoeth and beyond in the town of Wrexham.

4.15

Mains gas, water and electricity are all available close to the site within

Minera Hall Road and these services can be supplied to serve the new development without public cost. Foul water discharges will be discharged to the public sewer located at the site frontage in Minera Hall Road. Surface water collected from hard surfaced areas such as roofs, paths and driveways will be stored on site and then discharged at greenfield run off rate to the watercourse which crosses the site.

4.16

In terms of the consideration of applications for planning permission in accordance with Local Planning Policy Guidance **unless material considerations indicate otherwise**, the LPA considered a proposal for residential on a site to the south of Chestnut Court, Summerhill in August of this year. In his report to Planning Committee the Officer wrote *“Ordinarily I would recommend planning permission be refused for proposals that represent such a clear departure from UDP policies however the Council is only required to determine planning applications in accordance with an adopted development plan unless material considerations indicate otherwise.”* The Officer’s report went on to say *“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.”* Accordingly the report to Members of the planning committee in this particular case was *“Whilst representing a departure from the policies of the adopted UDP the development of the site is justified in this instance due to the lack of a 5 year land supply in Wrexham, the sustainable location of the site and the fact that an acceptable form of development is achievable.”*

4.17

It is the applicant’s contention that in the case of the application site, it would be wholly appropriate and indeed necessary to adopt the same decision making rationale and determine that the proposed development of the site as indicated is appropriate and acceptable in planning policy terms, in the same

way that both Officers and Members of the planning committee determined that the Green Barrier site in Summerhill which is referred to above, was also acceptable.

5.0 DESIGN

5.1

Good design is an all embracing concept. This statement considers the essence of good design in response to the following factors :-

- Use
- Amount
- Layout
- Scale
- Landscaping
- Character / Appearance

The above objectives are key to good design, to the understanding of and response to context and should form the basis of any scheme and design statement.

5.2 Use and Amount.

The application is in outline only and seeks primarily to establish the principle of residential development subject to reserved matters which will include siting, design, external appearance and landscaping. However notwithstanding this, information is contained with the application which indicates that a conventional form of development is suggested / proposed which takes account of the relationship between the site and Minera Hall Road to the south at which point both vehicular and pedestrian access to the site is gained. The optimum amount of development is therefore, in our

opinion, a mix of up to say 52No. detached and semi-detached homes, designed in a simple traditional form.

5.3 Layout.

The layout of the development is dictated by the proportions and topography of the application site together with positions and sizes of the existing mature trees which are to be retained. Vehicular and pedestrian access will be provided directly from Minera Hall Road by means of an adoptable roadway which will bisect the proposed frontage development in order to ensure that a strong street scene is retained to Minera Hall Road and also to ensure that good frontages are provided within the development site.

5.4 Scale.

The scale of the development is to comprise two storey, conventional dwellings in keeping with the existing dwellings located to the west of the site. It may also be appropriate to provide a small number of single storey bungalows to the eastern portion of the site nearest to Minera Hall Road which would reflect the context of the existing single storey dwellings to the south of Minera Hall Road. The form and massing thereafter responds to the spaces available between the tree protection zones and habitat corridors having regard to the topography of the site and market research which indicates a need for two storey, two and three bedroomed homes in this location.

5.5 Landscaping.

The landscaping of the site will predominantly involve the retention of existing, mature deciduous trees which will dominate the spaces between the proposed dwellings and which will give the development an immediate mature feel on completion. New tree and shrub planting will be extensive and will comprise indigenous species in addition to grassed lawns to private garden areas.

5.6 Character / Appearance.

The appearance of the proposed dwellings is to be subject to later design and

a further application for approval of reserved matters in the event that the current application for planning permission is successful. Notwithstanding this, the proposed dwellings will take a simple traditional form using design references and a palette of external materials taken from the existing buildings located immediately to the west of the application site and other more traditional buildings within the village of Minera.

6.0 ACCESSIBILITY AND MOVEMENT.

6.1

Local planning policy GDP1, subsection e) requires that development sites are located in an area with good public transport provision. The site is located adjacent to the B5426 which gives easy access to the nearby village of Coedpoeth by means of the A525 and beyond to the dual carriageway and motorway network via the A483 Wrexham By-pass which is located some 3 or 4 miles distant from the application site. The site is therefore in an accessible location with good access to public transport facilities. This constitutes a sustainable location for development with good public transport links to the centres of Wrexham and Chester.

6.2

Access to the proposed dwellings is available via an adoptable estate road from which vehicular and pedestrian access is gained to the individual plots. Pedestrian access to the principal entrances of the proposed dwellings will be provided in accordance with Building Regulations Approved Document M.

7.0 ENVIRONMENTAL SUSTAINABILITY.

7.1

The development will be designed to achieve Level 3 of the Code for Sustainable Homes and to achieve the statutory improvement over current Building Regulations that the Code requires. An interim Code for Sustainable Homes Assessment forms part of the application documents in order to illustrate the measures proposed to be included in order to achieve this classification. This assessment indicates that the proposed development will be designed to :-

- Reduce energy demand;
- Utilize materials of low environmental impact;
- Reduce water usage and the effects of waste water;
- Maintain natural habitats;
- Promote the efficient use of land;
- Use renewable energy sources.

8.0 COMMUNITY SAFETY.

8.1

The design objectives as far as promoting community safety are to ensure attractive linkages with public spaces which benefit from natural surveillance. The primary reason for this requirement is "To ensure that adequate visibility is maintained at the proposed point of access". However, the dual role that this requirement performs is that the front external spaces of the development are open to public view thereby providing natural surveillance during daylight hours. It is during the hours of darkness when problems may occur either to the front external spaces or the more secluded private garden areas to the rear, which could result in anti-social behaviour. It is therefore important in this situation, that effective artificial lighting of the front and rear of the plots is

included in order to deter anti-social behaviour and to provide potential for natural surveillance by residents who overlook the site or who may pass on foot or in vehicles. However, any artificial lighting which is provided must respect the amenity of adjoining local residents and therefore must be carefully designed in order to respect the position of the site and relationship between the application site and adjoining residents.

9.0 SUMMARY AND CONCLUSION.

In summary, the proposed development identified as part of this application for planning permission can be undertaken in accordance with National Planning Policy Guidance, specifically PPW Chapter 9 where the lack of a 5 year housing land supply is an overriding consideration in this matter which outweighs locally adopted planning policies which would otherwise resist such a development.

In establishing the principle that new residential development is acceptable having regard to PPW Chapter 9, the form of development proposed can then be assessed in accordance with other relevant planning policies and undertaken in such a way that is acceptable at a local level.

In conclusion, this Design and Access Statement has demonstrated that the development of the application site generally in the manner proposed is possible in accordance with adopted planning policy and the principles of good design.

In consideration of the above and the drawings and other information provided as part of the application, officers are respectfully requested to view these proposals favorably and subsequently resolve to grant planning permission.

D.S. Jones &Co. March 2015.

For and on behalf of Residential Land Promotion Limited.

