



**L.S. Planning Limited**

Leslie Smith,  
L.S. Planning Limited  
Meliora  
The Street  
Mickle Trafford  
Chester  
CH2 4EP

E: [leslie@lsplanning.co.uk](mailto:leslie@lsplanning.co.uk)

M: [REDACTED]

The Planning Inspectorate (Wales)  
By E-mail

Date as e-mail.

Dear Sirs,

**Appeal Reference APP/H6955/A/14/2229673**

**Site: Tan yr Onnen, School Lane, Bronington, Whitchurch. SY13 3HN.**

I write on behalf of Mr & Mrs A Evans of Cae Glas, School Lane, Bronington. SY13 3HN to comment on the above appeal.

Firstly a new plan has been submitted in connection with the application, drawing 103-14D. This drawing was not part of the original application considered by the local planning authority and should not be part of this appeal. In the case of *Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]* and in subsequent cases it was agreed that an appeal must be decided on the plans submitted with the application unless the variation is so minor as not to cause prejudice. Following on from that Planning Inspectorate Good Practice Advice Note 09 says: (3)

The appeal process should not be a means to progress alternatives to a scheme that has been refused or a chance to amend a scheme so as to overcome the reasons for refusal.

This is what precisely is being attempted in this appeal so as to improve the access to the site. The plan also changes the red line of the site as the demolition proposed is clearly within the blue line area. The plan should be disregarded.

Reason 1 of the reasons for refusal is:

The site lies outside a defined settlement limit, and the development represents an undesirable intrusion into the landscape at this location, and would be contrary to policies PS1, PS2 and H5 of the Wrexham Unitary Development Plan.

My clients accept that they do not have a right to the view they now enjoy but are concerned about the effect on the character of the village.

The proposed access comes within the root protection area of a protected tree. Whilst the tree report gives details of how the access can be constructed without damage to this tree the tree is classified as being worthy of protection and 20% of its root protection zone will be built on. There will also be pruning to the crown to allow vehicle access and it is felt that this will disturb the natural shape of the tree and, in practice, more harm will be caused than is envisaged in the report.

If one looks at the OS plan of the area there is a building to the left when emerging from the proposed site. This is the garage for the property Shadee Oak, a property left off the site plans. In front of this garage is hardstanding for at least two cars and these must be taken into account when assessing the visibility from the site. We feel that the fact that it is not shown means that it has an adverse effect.

The application is in Outline and the placing of the buildings indicative. Notwithstanding that there is concern that refuse collection vehicles, large emergency service vehicles and delivery vehicles will have difficulty accessing the site. It would, for example, be unreasonable for householders to have to take their refuse bins to the site entrance and obstruct the footpath if the collection vehicle could not enter and manoeuvre within the site.

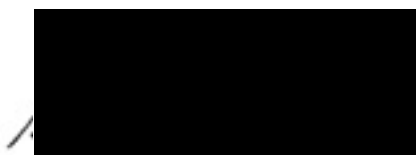
The proposed access road does not show any further land as a utility strip. Crucially it does not show a footpath. The site is located so as to allow residents to use local facilities without needing a car. The access road has a bend in it and no street lighting is proposed. The access road will be hazardous to pedestrians. Similar, and possibly worse in view of the relative speeds, considerations apply to cyclists.

Reason 2 of the reasons for refusal is:

Notwithstanding the intended improvements to the existing access, the development is unacceptable and undesirable having regard to increased use of the existing access which is located near a roundabout on School Lane, together with the proposed limited width of the intended shared private driveway in relation to the existing residential property ( Tan yr Onnen ) which will cause adverse amenity issues for the residents of that property, and issues of pedestrian safety for all residents and inconvenience because of likely proposed arrangements for refuse collection facilities. To allow the development would be contrary to policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

My clients think that that reason is correct and justified. They ask that the appeal be dismissed.

Yours Faithfully,

A black rectangular box redacting the signature of the sender.