
TAN 15

Justification

**Change of use of agricultural
land to dog walking paddock
and all associated works**

GM & DA Woollam

**Land Adjacent to B5445
Lavister
Rossett
Wrexham
LL12 0DF**

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1. TAN 15 Further Justification

6.1 Much urban development in Wales has taken place alongside rivers and in the coastal plain. It is therefore inevitable, despite the overall aim to avoid flood risk areas, that some existing development will be vulnerable to flooding and fall within zone C. Some flexibility is necessary to enable the risks of flooding to be addressed whilst recognising the negative economic and social consequences if policy were to preclude investment in existing urban areas, and the benefits of reusing previously developed land. Further development in such areas, whilst possibly benefiting from some protection, will not be free from risk and could in some cases exacerbate the consequences of a flood event for existing development and therefore a balanced judgement is required.

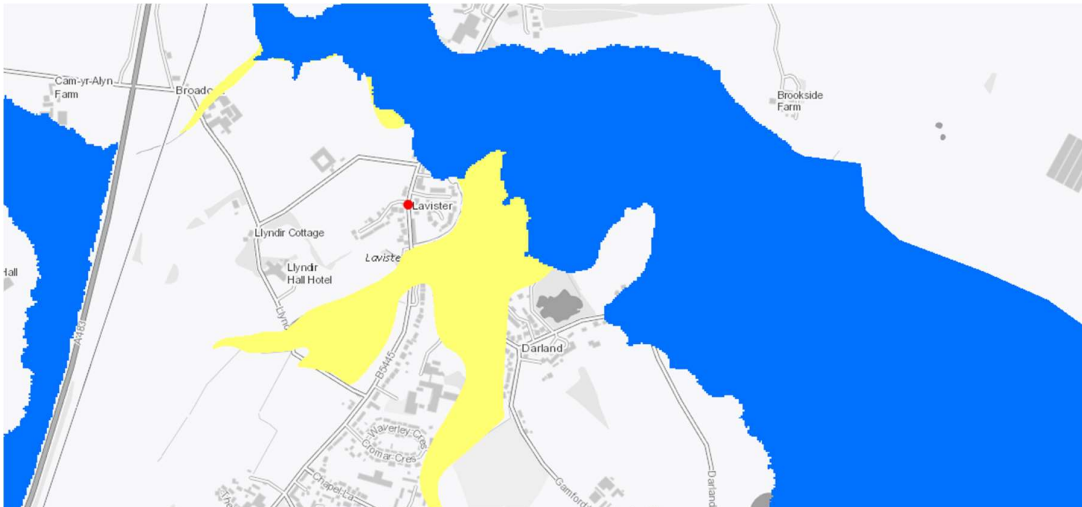
6.2 New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement¹ ; or,

This test has been met - The proposed change of use is located within zone C, however it is felt the proposal is not classed as development as it does not involve the erection of any buildings, it does not involve the use of impermeable materials and will not result in a visual harm to the local area.

The proposal will have huge benefits to the local community in terms of both physical and health benefits along with safety concerns over unmanageable dogs

Sequential Approach - Directing Development Away from Zone C: Our proposal acknowledges the preference to direct development away from Zone C to Zones A and then B. We recognize the importance of preserving certain zones and have chosen a suitable location within Zone C1 and C2 for the dog walking site. This choice was made after careful consideration of available alternatives and aligns with the overall strategy outlined in TAN 15.



The above flood map shows that large areas of land in and around Lavister are located within the flood zone, therefore there are limited options as to where an essential dog walking field could be located.

ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;

The proposed change of use will have use huge local benefits to the community of Lavister. Lavister is popular with dog owners with the number of local dog owners increasing significantly since COVID. Change of use of this land will allow dog owners a secure and safe environment to walk their dogs. Dog walking had significant mental health benefits, the proposed change of use will have benefits to both owners and dogs. The proposed dog walking field will be a betterment to the popular village of Lavister, this will add to the sustainability of Laviter and its attraction to both the local community and visitors to the area.

Justification for Development in Zone C: The development of a dog walking site in Zone C (C1 and C2) has been carefully justified. The site was selected after thorough assessment and consideration of various factors, including accessibility, community needs, and environmental impact. The proposed site not only fulfills a clear need within the community for a safe and enclosed space for dog exercise but also minimizes disruption to sensitive areas within Zones A and B.

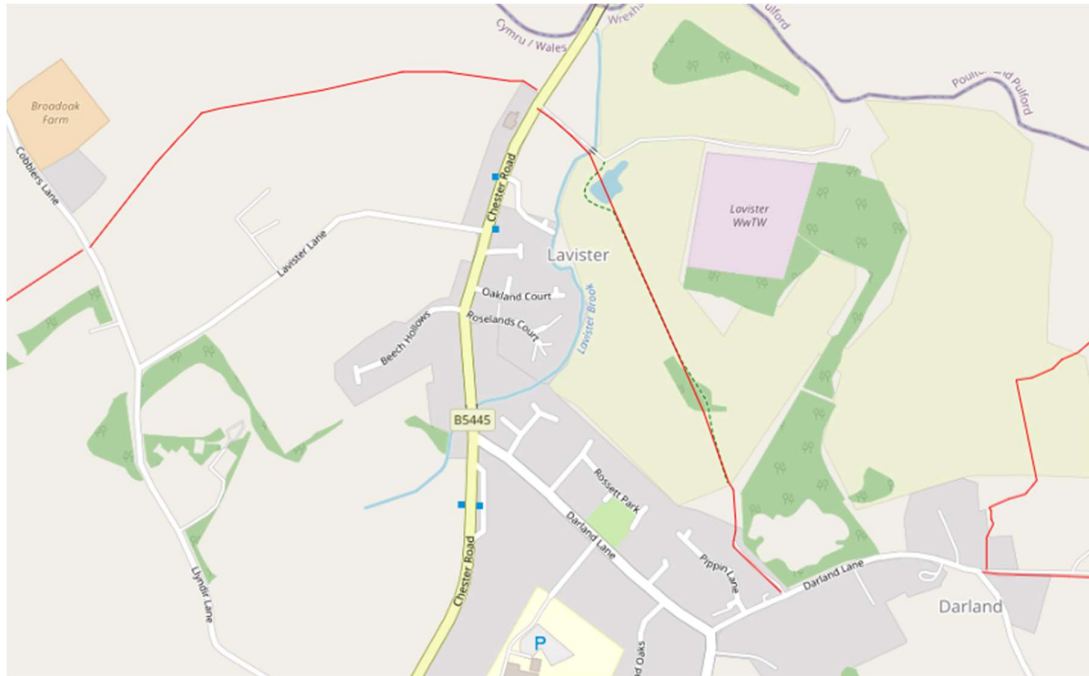
and,

iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,

The location for the change of use is a former golf course and is therefore a previously developed site

Meeting Planning Tests: Our assessment of the proposed dog walking site thoroughly addresses its compliance with the tests set out in section 6.2 of TAN 15. This includes

considerations of sustainability, environmental impact, access, and the fulfillment of community needs. The site's development aligns with the overall objectives of TAN 15, ensuring that it is appropriately located and designed to minimize any adverse effects on the surrounding environment while meeting the demands of the local community.



The site is linked by several footpaths, allowing good access for dog owners from within Lavister along with those from a wider area.

iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

This test has been met – a supporting FCA has been include as part of this application and NRW have confirm they have no concerns with the proposed change of use.

In conclusion, the proposed dog walking site in Zone C1 or C2 has been carefully justified, and our assessment confirms its compliance with the specified tests of section 6.2 of TAN 15. We remain committed to addressing any further inquiries or providing additional information to ensure full compliance with all relevant planning guidelines and regulations.