

Re. Land at Home Farm, Llay
Re Appeal against refusal of planning consent

Statement of His Honour Eifion Roberts QC, DL and Mrs Buddug Roberts

INTRO- We have lived in the area since 1959. We have been the joint owners and occupiers of Maes y Rhedyn since 1968 and of Y Bwthyn as a dwelling since 1976 when outbuildings were converted. Notice of objections was filed in 2015.

CONCERNS

It involves a major intrusion of some 500 m into open countryside of which the whole neighbourhood would be deprived for ever.

Whatever the classification of the land, there would be a real loss to agriculture in that it provides pasture throughout the year for cattle and sheep in seasonal rotation and yields several annual crops of hay which are cut and baled.

There are highway problems at the Crown junction, on the Straight Mile, in Gresford Road and on both approaches to the sharp bend under the railway bridge.

The instability of the land is a notable feature of it.

The risk of flooding is evident.

The disposal of foul drainage is fraught with difficulties

There are serious deficiencies in the community infrastructure especially in the local schooling and health services.

We have good reason to be particularly concerned about the marked undulations or depressions in the field immediately to the north of our property resulting from ground movements since the closure of the Llay Main colliery in 1966. We have certainly witnessed the effects in the form of ever increasing and deeper undulations since we went into occupation in 1968. Some of them are now of such depth and size that they form three ponds of varying size which attract birds in large numbers including ducks and geese; this year these ponds extended well into the Summer season.

What we dread is the incalculable effect of the exceptionally heavy pressure and burden upon the land in that field and elsewhere on the appeal site during the construction phases and thereafter during continuous and intensive occupation. It is claimed by the Coal Authority that the undulations "should" have stopped by now. That is not our impression and we are mindful of the Note to Applicant on page 131 of the Head of Community report of 5/10/2015 - "the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from coal mining activity" and further "although such hazards are seldom readily visible, they can often be present and problems can occur in the future particularly as a result of development taking place".

There is a downward flow of water from the field adjacent to our property which is why the lower section of the garden at the back is full of water for substantial parts of the year and the cellar beneath Maes y Rhedyn is liable to flooding as, for example, for several weeks in the Summer of this year when the water level was well over one foot deep. We are not satisfied that either of the solutions mentioned at page 122 of the report can be sufficiently tried and tested in advance of development and even the existing run off rates can cause problems. The properties are both highly exposed and vulnerable on this score.

THE PROPOSAL IS NOT AN APPROPRIATELY SIZED OR LOGICAL EXTENSION OF LLAY

Llay was a closely knit mining community and still bears that character. The heart of the village is at the far end of First Ave. To gain access there from Gresford Road one would normally go in a westerly direction along the B5102 and turn into First Ave from the junction in front of the Miners Institute. First Ave is a long straight street. The entire walk is long and tedious especially as traffic on the B5102 is usually very heavy.

The residential development to the west of Gresford Road began in the mid 1970's. What is perhaps surprising is that, although it would in toto be a substantial development, it does not seem to have been conceived or nurtured as an extension of Llay. Thus no proper system of pedestrian links was established and throughout the 40 years that have elapsed since then, that situation has remained unaltered. Indeed, it is said at pages 102 and 120 of the Head of Community report that the links are still poor and at page 103 that the Gresford Road boundary "does nothing to encourage pedestrian integration between the proposed and existing parts of the village". If regard be had to the walking distance from Gresford Road to the centre of Llay and the need for integration was a real as

opposed to a theoretical need, why was nothing done in 40 years to satisfy the need? The answer is simple. The Gresford Road development is and was from the beginning essentially independent of Llay. Of course, the odd one will walk his dog from Gresford Road to the centre of Llay and back; some will make occasional use of the few shops and other facilities in Llay but the Gresford Road development stands very much on its own.

The proposed development would be significantly more removed from Llay. The bus service would give access to Wrexham and Chester would be within reach in a number of alternative ways. The shop on site would tend to reduce any use of other general local shops.

Putting the 91 affordable housing on one side as it is not clear how they would be dealt with and allocated, the remaining 274 would have to be marketed. Their saleability would largely depend on their being part of a countryside development with a special attraction for people who work in Chester or in the industrial areas beyond in the North West—Ellesmere Port, Stanlow, Runcorn and Warrington, to name but a few—all within easy ^{driving} commuting distance from the site using the B5102 for access to the A483 and the rest of the relevant road network. That is the likely direction in which the new development would be heading and in reality it would soon become a dormitory for Chester and the industrial areas beyond with little or no benefit to Llay or Wrexham.

The Planning Committee got it right. It is too big a development in relation to Llay—nearly 20% of the total number of dwellings in the whole of Llay—indeed, it is so big that it would have a momentum and drive of its own towards the North West. In no way would it be or become a logical extension of Llay.