Mr James Sadowski

App Reference –

P/2026/0085

Planning Department,

Wrexham County Borough Council,

16 Lord Street,

Wrexham,

LL11 1LG

25th February 2026

RE-SUBMISSION OF PLANNING APPLICATION P/2023/0305 FOR THE CHANGE OF USE OF LAND TO STORAGE FOR RAW TIMBER, LOGS, WOODCHIP AND RELATED MACHINERY (IN RETROSPECT)

Introduction

This planning application is a resubmission of planning application P/2023/0305 which was refused on the 19th November 2025 following limited discussion with Wrexham County Borough Council (WCBC) since submitting the application on the 27th April 2023.

The planning application is a retrospective application for the change of use of the previously developed land to allow for the storage raw timber, logs, woodchip and related machinery on Site.

The Site has been used as a timber and machinery storage yard since 15th December 2019. The purpose of the storage is supporting Axcess Tree Services, a company I own and operate.

Axess Tree Services is a family run company, providing a comprehensive range of specialist tree services. Some of services we provide include:

- Tree Felling/Tree Removal
- Tree & Vegetation Clearance
- Tree Pruning and Maintenance
- Tree Planting
- Sale of Logs
- Inspections, reports & Surveys

The timber stored on Site has come from elsewhere and sits within the existing hardstanding yard away from any of the existing trees present nearby.

Site & Surrounding Area

The Site is located in the village of Penley, within the administrative boundary of Wrexham County Borough Council (WCBC).

Penley is a small village, located close to the border with Shropshire. The village is made up of mainly residential development, with amenities present to support the local community.

The development Site consists of a large hardstanding yard. While the Site is located closely to a surrounding woodland, there is no tree cover over the clearing where the materials are stored.

The Site is accessed via a private drive which runs from Tudor Drive to 'The Cottage,' a residential dwelling to the west of the Site.

Flood Risk

The Natural Resources Wales Map, demonstrates flooding risk from rivers, the sea, surface water, small watercourses and reservoirs and is kept up to date on flooding risk across Wales.

The map presents the Site as being at a low risk of flooding (les than 0.1% annual chance). To the north of the Site there is an area at medium to high risk of flooding.

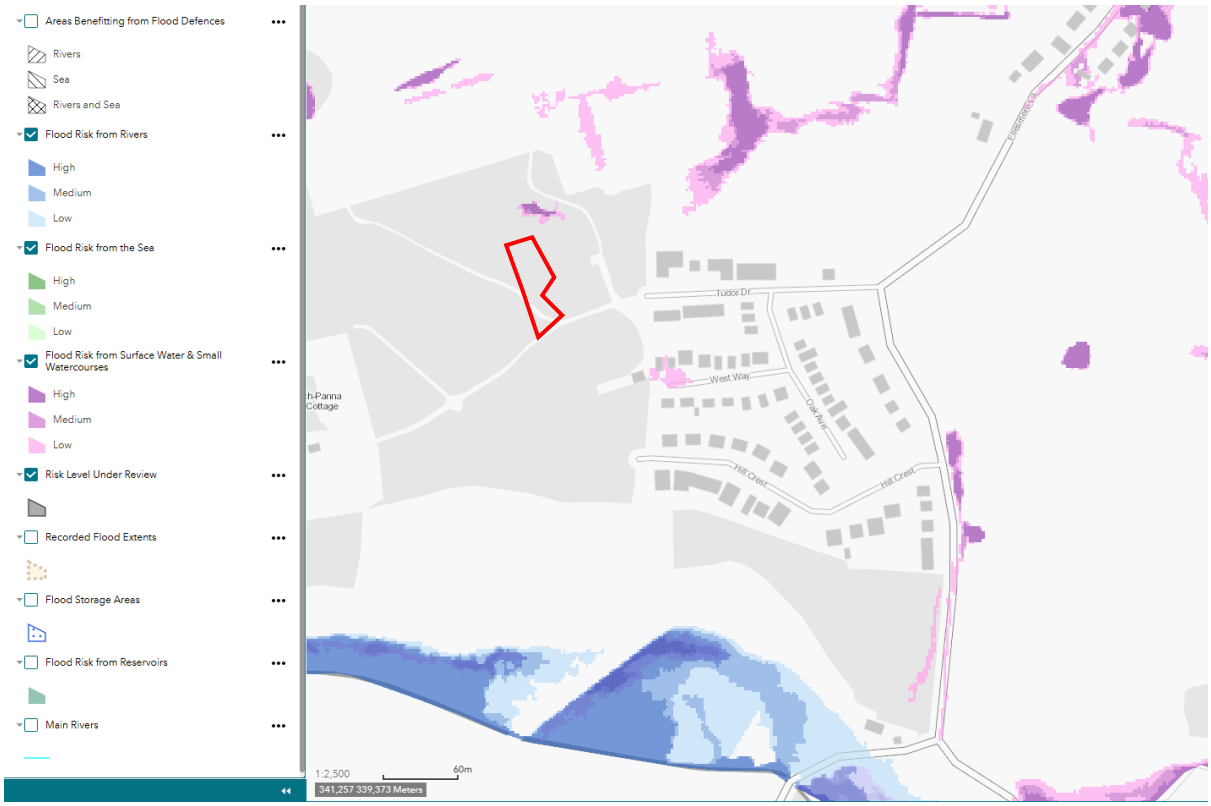


Figure 2. Flood Risk Map. Natural Resources Wales, 2026

Planning History

Planning Application P/2023/0305 was submitted by me as landowner on the 27th April 2023. This application was accompanied by the following documents:

- Location Plan
- Site Plan
- Site Photographs

While there was limited communication from WCBC throughout the duration of the determination process, the reasons for refusal were as follows:

1. *The Site lies within a designated Local Wildlife Site. No information has been submitted to demonstrate how the works that have already been carried out have affected the biodiversity and ecological value of the site, nor how this will be compensated for. It is likely that some unacceptable harm has been caused to local wildlife. This is contrary to policies PS3, PS11, GDP1 and EC6 of the Wrexham Unitary Development Plan and to the advise set out in LPG32.*

It also contravenes Future Wales Policy 9, the advise contained in Chapter 6 of Planning Policy Wales (Ed 2 and TAN 5).

2. *The Site lies outside of any recognised settlement limits and within a Special Landscape Area. No justification has been submitted to demonstrate the development in this location is justified. This is contrary to UDP policies PS1 and EC5 which respectively direct development to within defined settlement limits and protect Special Landscape Areas from inappropriate development.*

3. *No information has been submitted which sets out the specific operations that occur at the Site not the nature and level of traffic generation and associated provision for parking and turning within the Site. As such and also based upon the objections received, it is considered that the use of the site for the storage of logs has an unacceptable impact upon highway safety and also upon residential amenity by way of noise disturbance from machinery used on the Site and disruptions due to the level and nature of traffic generated. As such the proposal is contrary to UDP policies GDP1 and T8 and to the guidance set out in LPG16.*

4. *Allowing the continuation of activities which are likely to have already had a significant, and detrimental impact upon the woodland ecosystem and its functionalities in recent years is not supported. Importing and storing potentially infected timber and arisings obtained from tree surgery operations presets an unacceptable level of threat to the health & wellbeing of individual species and the overall woodland. Other biosecurity measures such as equipment and vehicular hygiene have not been apparent. In the absence of specific Arboricultural information, it is not possible to determine that the use is acceptable. The continued use of the Site therefore presents risks to the long-term health and well-being of the woodland contrary to UDP policies GDP1, EC4 and to the advice set out in LPG17*

<u>Proposed Development</u>

This application is seeking retrospective permission for the storage of timber and machinery associated with the Axcess Tree Services business. Therefore, no material change to the land is proposed.

There is no proposed change to the land itself, other than the change of use to allow open air storage. From a review of Google Earth, the first record of the hardstanding yard was 1999.

Timber is brought onto the Site and stored there before is sold on through the Axcess Tree Services Business.

The timber is brought onto Site via a vehicle, with movements along Tudor Drive kept to a minimum.

The change of use will allow the yard to be lawfully used for open air storage, which is what it has been used as since 2019. There is no scope for the yard to grow in size due to the existence of surrounding woodland.

<u>Traffic Movements</u>

Access into the timber yard is exclusively via Tudor Drive. My business is small-scale, serving the local community and is designed to have a negligible impact on the local highway network.

The business operates a small fleet of modern, environmentally friendly vehicles. No Heavy Goods Vehicles (HGV's) are used as part of the development.

The vehicles I use to access the Site are as follows:

- 1x 4x4 vehicle: used for site management and light towing
- 1 x Isuzu 3.5 tipper: A compact vehicle for transporting woodchip and timber

- 1 x tractor: for on-site manoeuvres and occasional local transport

Traffic generation to and from the Site is minimal, with each vehicle typically performing one “out and back” movement per day to reach work sites.

Typically speaking, there are 6 movements to and from the Site each day. I do not work on Sundays to there are no movements to and from the Site for business purposes. As I own the wider land, I undertake additional trips on recreational and personal business, which is not inappropriate given I manage and maintain the land.

Planning Policy Context

Local Development Framework

Since the Wrexham Local plan was unadopted in July 2025, the Wrexham Unitary Development Plan is the adopted Development Framework for Wrexham. The following policies are considered to be relevant to this planning proposal:

Policy EC5 – Within Special Landscape Areas, priority will be given to the conservation and enhancement of the landscape. Development, other than for agriculture, small-scale farm based and other rural enterprises, and essential operational development by utility service providers will be strictly controlled. Development will be required to conform to a high standard of design and landscaping, and special attention will be paid to minimising its visual impact both from nearby and distant viewpoints.

National Planning Policy

Planning Policy Wales (2024) provides the national policy framework for land use planning in Wales.

PPG defines Previously Developed Land as *‘land which is or was occupied by a permanent structure (excluding agriculture or forestry buildings) and associated fixed surface infrastructure.’*

Previously Developed Land (PDL) – PPW states that PDL should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements such land should generally be considered appropriate development where its re-use will promote sustainability principles, and any constraints can be overcome.

Environmental Sustainability – PPW sets out that ‘good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land).

Ecology

As part of this submission, Wildbanks Conservation have produced a Green Infrastructure Statement and Net Biodiversity Benefit Plan, which support the development.

The document sets out the context to the surrounding area, including my ownership as landowner. Wildbanks Conservation was satisfied, following on from a site visit on the 10th February 2026, that the use of the land as a timber yard is not effecting existing wildlife either temporarily or permanently. The conclusion has been reached that while there no opportunities within the application site to enhance existing wildlife (as none exists), they propose enhancement measures to be installed within the wider area around the Site.

As the applicant and landowner, I am in support of these measures and will install them to improve surrounding wildlife.

The mitigation recommendations include:

- Installation of barn owl box within a mature oak tree on the northern boundary of the wider Site. The box used will be of the design recommended by the Barn Owl Trust.
- Installation of 6 bat boxes within the woodland to the northwest corner of the wider site (blue line boundary). These will be situated at least 4m in height and positioned two per tree facing south west with a clear flight path into them.
- Installation of six small bird habitat boxes within the woodland in the northwest corner of the wider site (blue line boundary)

Overall, following the Site visit and walkover of the Site, there are no concerns that the development (as it is already in use) has not and will not harm any wildlife going forward and the mitigation measures recommended are to enhance what is already present.

Arboriculture

Steve Shields of Shields Arboriculture Consultancy has reviewed the Site and the surrounding woodland context. In support of the application, he has produced an Arboricultural Impact Assessment to review the impact on the woodland from the development and to respond to comments received by the officer on planning application P/2023/0305.

One of the main concerns raised by the Officer as a reason for refusal on my previous planning application was that 'no information had been submitted to demonstrate how the works that have already been carried out have affected the biodiversity and ecological value of the Site.'

Shields were instructed to assess the environmental and amenity value of all the trees on or adjacent to the area affected by the proposed development. Their report assesses the potential impact that may have arisen from the change of use and makes recommendations for protecting trees, hedges and shrubs where appropriate.

The conclusion to the AIA states that the development has not resulted in the removal of any trees, nor does it result in encroachment into soil-based rooting environments or adjoining woodland areas.

The Council raised concerns surrounding potentially storing infected timber on Site would threaten the health and wellbeing of individual nearby trees. However, as set out in the AIA, there is no evidence to suggest this has ever taken place. As a landowner and business owner I undertake effective management of the Site through the implementation of a documented biosecurity policy and risk assessment. These measures include:

- The controlled sourcing and segregation of material.
- Defined storage areas
- Hygiene protocols for plan and vehicles
- Monitoring procedures

The AIA confirms that the activity undertaken on Sier is consistent with standard arboriculture practise and does not inherently present an unacceptable risk to woodland health when appropriate controls are in place. Therefore, I believe that previous causes for concern as set out by the Council within their decision notice for planning application P/2023/0305 should be addressed, with satisfactory evidence presented to eliminate them.

Conclusion

This planning application is a resubmission of planning application P/2023/0305 for the change of use of the land to allow for the storage of raw timber, logs, woodchip and machinery. The application is retrospective with the storage already in operation on Site.

This covering letter has provided background into the Site and further justification as to why the development should be deemed acceptable.

Supporting documents that have been submitted to Wrexham County Borough Council should alleviate previous concerns and provide more information to the integrity of the Site. Therefore, concerns should now be addressed.

I wish to work with WCBC in a positive and proactive way and will welcome open communication from the Case Officer throughout the decision-making process. If at any point additional information is required, I would be happy to discuss this with you and provide where necessary.

Many thanks,

James Sadowski

Applicant & Landowner