

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 1st JULY 2019

APPLICATION NO:
P/2019 /0246

LOCATION:
GAMFORD HOUSE GAMFORD LANE
ROSSETT WREXHAM
LL12 0EW

DATE RECEIVED:
25/03/2019

COMMUNITY:
Rossett

DESCRIPTION:
CHANGE OF USE, CONVERSION
AND REPLACEMENT
AGRICULTURAL BARN AND
FARMHOUSE TO FORM 8. NO
DETACHED DWELLING HOUSES
INCLUDING REMOVAL OF
DERELICT STRUCTURES ACROSS
THE SITE

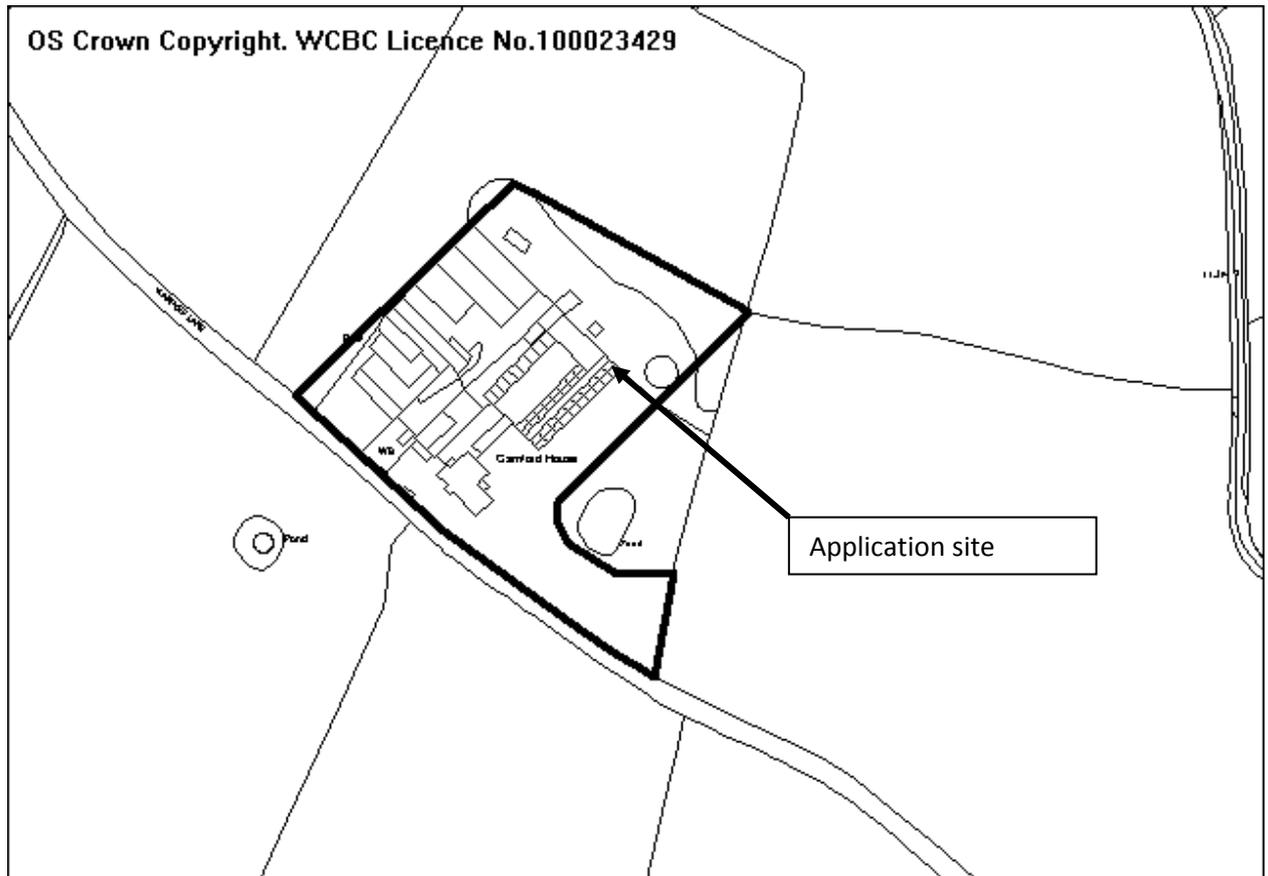
CASE OFFICER:
MP

WARD:
Rossett

AGENT NAME:
HARDIE BRACK
PEKIN BUILDING

APPLICANT(S) NAME:
URBAN DEVELOPMENT LTD

THE SITE



PROPOSAL

Change of use, conversion and replacement agricultural barns and farmhouse to form 8 no. detached dwelling houses including removal of derelict structures across the site.

HISTORY

- 6/0036 Erection of pig unit, grain store and storage tank.
 Granted 25.4.74
- 6/1856 Proposed extension to existing farm office.
 Granted 29.1.76
- 6/0122 Alterations and extension to dwelling and improvements to
 existing vehicular access.
 Granted 23.5.74
- 6/1432 Proposed extension to dwelling to provide additional lounge, and
 construction of new vehicular access.
 Granted 5.9.75
- CB1060 Redevelopment of site with 18 dwellings and associated
 garages, including conversion of existing buildings and alteration
 to existing vehicular and pedestrian access.
 Refused 16.5.97. Appeal dismissed 19.11.97
- P/2016/0384 CHANGE OF USE AND CONVERSION OF BARNs TO
 FORM 6 NO. RESIDENTIAL UNITS, CONSTRUCTION OF 2
 NO. SEMI-DETACHED DWELLING HOUSES (REPLACEMENT
 OF EXISTING FARM HOUSE) AND DEMOLITION OF
 REMINING STRUCTURES ACROSS THE SITE. Granted
 7.11.2016

NATIONAL PLANNING POLICY

Planning Policy Wales Edition 10

Technical Advice Note 1: Joint Housing Land Availability Studies

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

Technical Advice Note 23: Economic Development

DEVELOPMENT PLAN

Outside of settlement limit, within Green Barrier and Special Landscape Area.
Policies GDP1, EC1, EC5, EC6, H3, H10 and T8 apply.

CONSULTATIONS

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- Community Council: The Community Council are keen for this site to undergo work as it is deemed an eyesore in its current state. Whilst they have no objection regarding the development of the house and within the footprint of the current agricultural buildings they do not feel this permission should be extended to the pond and orchard area. It was also noted that there should be an immediate instruction/condition to make this site secure as it is proving to be a health and safety risk as children are known to be entering the site.
- Local Member: I cannot agree to it being dealt with under delegated powers and would wish the Committee to consider it. I am in favour of the development as I feel that this is exactly the type of small development needed on an appropriate site as opposed to taking massive swathes of green barrier
- Highways: Have made the following comments:
- Visibility splays of 2.4 x 56m required in both directions;
 - Access to plots 3-7 is 6m wide which is considered adequate for a shared access.
 - Access to plot 3 appears to be 4m wide which is considered adequate. .
 - Access to plot 1 appears to be 7m wide which is considered adequate;
 - Recommend no gates be erected across the accesses, that they are surfaced with hard bound materials for a minimum of 5m behind the adjoining highway and an Aco drain or similar installed to intercept private surface water run-off;
 - Given the relatively remote/unsustainable location of the site, I would recommend that provision is provided with LPG16;
 - Suitable turning provision required for plots 1 and 2;
 - A turning head to accommodate the movements of a medium sized delivery vehicle for plots 3-7. The proposed turning area is considered inadequate;
 - It is important that any proposed bin store/compound is suitably located to serve such a development in close proximity to the highway.
 - Gamford Lane has no footway or street lighting provision. Pedestrians would therefore have to

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walk a significant distance along an unlit rural lane. I would therefore not consider this site to be a sustainable location to support any significant residential development;

- I would recommend any proposed development is limited to previous traffic generation levels;
- The information submitted appears to indicate that the farm previously generated a particularly high number of daily movements. Based on the information submitted the development is likely to generate fewer vehicular movements;
- Recommend the current speed limit is reduced to 30mph in the interest of pedestrian safety;
- Recommend the applicant funds street lighting along Gamford Lane.

Public Protection:

Condition regarding construction/working times and advisory notes in respect of minimising impacts during development and contaminated land recommended.

Education:

Contributions to secondary provision required.

Welsh Water:

Conditions recommended.

NRW:

Consulted 2.4.2019

CPAT:

Information held within the regional Historic Environment Record indicates that although the development appears to have limited archaeological implications, the proposals will affect a former group of brick barns and a farmhouse which appear on the first edition OS mapping and are at least 130 years old.

The buildings are of local architectural and historical interest and it would be unfortunate if these buildings were now altered or demolished without some form of record of their current architectural style and present form being made.

The applicant should be required to carry out a Photographic Survey before development commences, in order to preserve a record of these buildings. To facilitate this request an appropriate planning condition is attached to any permission granted.

Site Notice:

Expired 25.4.19

Press Notice:

Expired 4.5.19

Alyn Family Doctors:

Strongly object for the following reasons:

- Our practice is at serious risk of closure;
- As a practice we are already overstretched and cannot cope with current workload;
- Any other developments in our area are unmanageable;

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- Numerous developments have already occurred in our practice area. We cannot continue to absorb the pressure;
- The Health Board have stated they are liaising with the practice regarding increasing our practice. This is not correct. There are no plans to expand our premises. Even if there was we cannot cope with demand;
- We are looking to close one of our practice sites as we cannot safely staff it;
- The gradual increase in houses in the Alyn Family Doctors area of Llay, Gresford, Marford and Rossett has reached the stage where we must place on record our objection;
- Our inability to increase our service to any of these new houses seriously threatens the provision we can give to existing patients;
- Developer contributions will not cure these inherent overload problems.

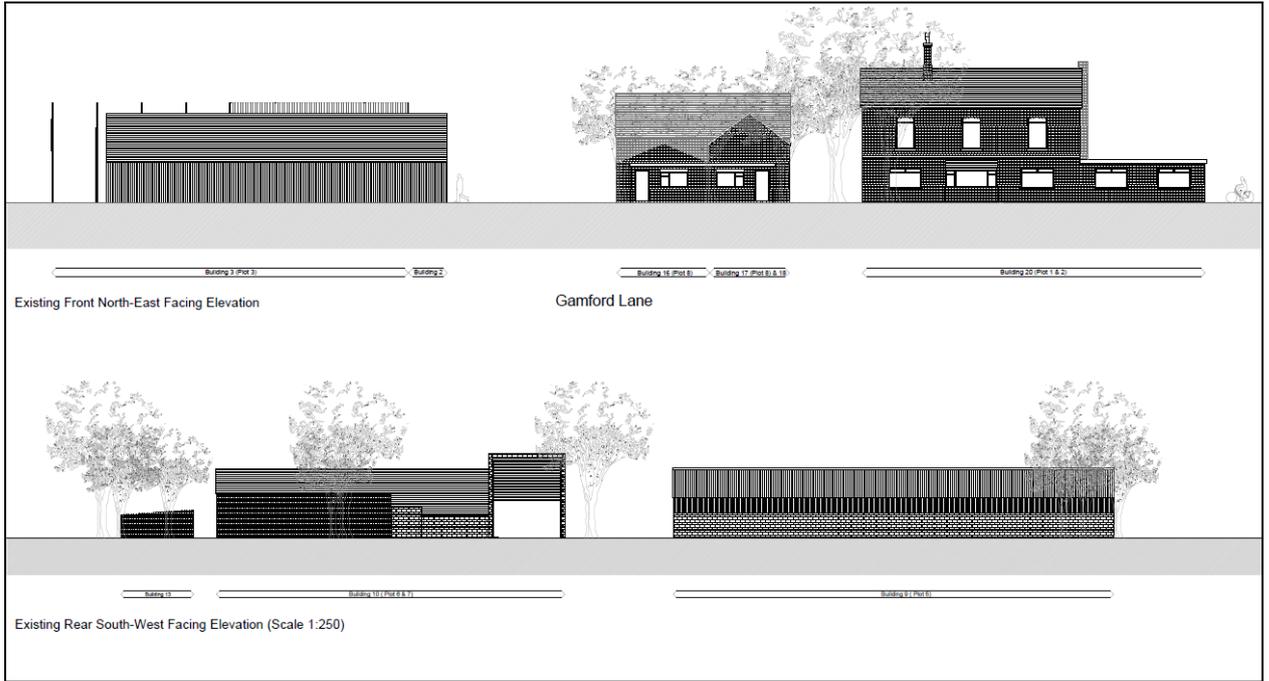
SPECIAL CONSIDERATIONS

Policy: Policy H5 is applicable generally, but also specifically to a new build dwelling identified on the submitted plans as plot 3. Policy H10 is applicable to the proposals to demolish the existing farmhouse and erect 2 detached properties – identified as plots 1 and 2. Policy H3 is applicable to existing buildings that subject to proposals for conversion, identified as plots 4, 5, 6, 7 and 8.

In addition to the above proposals, a number of other buildings will be demolished with the resulting space used to provide the curtilages to individual plots, along with parking. New garage buildings will also be erected. These aspects will be considered in light of appearance of the development as a whole in light of policies GDP1, EC1 and EC5.

The existing and proposed street scene elevations are included below:

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Front and rear site elevations: Existing



Front and rear site elevations: Proposed



Side site elevations: Existing



Side site elevations: Proposed

Replacement of existing farm house with 2 dwellings: Plots 1 and 2

Policy H10 of the UDP allows for the erection of replacement dwellings where:

a) the existing dwelling is habitable or capable of being made habitable without substantial reconstruction or substantial increases in floor area.

b) the existing dwelling is not of architectural or historic interest, or is a prefabricated or temporary structure.

c) *the proposed dwelling:*

- i) *is located on the site of the original dwelling; or*
- ii) *is exceptionally, where a planning constraint can be overcome, located within the curtilage of the existing building; and*
- iii) *reflects the floor area, form, bulk, and character of the original dwelling; and*
- iv) *satisfies Policy GDP1*

The principle of replacing the extant farmhouse with 2 dwellings has been established via the existing planning permission reference P/2016/0384 however those proposals represented relatively modest increase in the overall floor area compared to the extant structure. Furthermore the proposals were supported due to the specific design put forward –two semi-detached properties designed to look like a single farmhouse that had been incrementally extended and subdivided. The proposals complemented concurrent proposals for the conversion of the adjacent buildings and respected the rural character of the site and its wider surroundings. See below:



Dwellings to replace farmhouse approved under P/2016/0384

When the previous permission was granted the existing dwelling was vacant but remained in a reasonable state of repair. Since then the building has been extensively damaged and is currently not in a habitable condition. Whilst it is clear that a significant amount of repair work would now be required to return the dwelling to condition suitable for occupation I do not consider it to be such that proposals for its replacement would conflict with part a) of the policy.

Notwithstanding the above, the proposed plots 1 and 2 cumulatively are larger than both the existing dwelling and the replacement dwellings previously granted permission, although it is acknowledged that a large part of the increase is a result of the provision of attic rooms.

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Being two detached and therefore distinctly separate dwellings, they in no way reflect the general form or bulk of the existing single farm house. Furthermore, their general form and appearance cannot be viewed in isolation from the development as a whole, which will be discussed in more detail below. Overall I find that the proposals conflict with policy H10.

Erection of a new dwelling: Plot 3

Plot 3 is to be erected on the site of an existing dilapidated Dutch barn. The proposed dwelling seeks to replicate the general form scale of the existing building. However neither UDP nor Planning Policy Wales allow for the replacement of existing non-residential buildings in the countryside with dwellings.

Policy H5 only allows for small scale housing developments to take place outside of settlement limits through the conversion of suitable buildings, the subdivision of an existing dwelling, up to two dwellings on an infill plot, small scale affordable housing schemes on sites adjacent to a settlement limit and key rural worker housing.

Whilst the proposal sits within a complex of existing buildings it cannot be considered an infill plot. The existing site has the character typical of that of a farm – i.e. that a farm dwelling and associated outbuildings. It does not constitute a well developed build frontage nor does the location to be occupied by plot 3 represent a small gap within such a frontage. Even if the applicants sought to retain some of the existing structure, as with plot 5 (see below), the provision of a dwelling would still involve extensive reconstruction/new build works tantamount to the erection of a new dwelling in the countryside. Therefore regardless of how the dwelling is presented it represents a clear departure from both policies H3 and H5.

Conversion proposals: Plots 4, 5, 6, 7 and 8

Policy H3 allows for the conversion of buildings in the countryside to dwellings subject to the following criteria being met:

- a) in the case of agricultural buildings, there is no longer an agricultural need and alternative non-residential uses have proved inappropriate; and*
- b) the building is structurally sound and capable of conversion without extensive rebuilding tantamount to the erection of a new dwelling; and*
- c) any inherent characteristics of merit in the building are retained; and*
- d) the proposed dwelling and the resulting curtilage does not constitute an undesirable intrusion into the landscape, create access problems, nor require the provision of services at public cost; and*

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e) the floor plan of the existing building is sufficient to create a habitable dwelling.

In granting planning permission in 2016 the Council has accepted that there is no conflict with part a) of the policy. There have been no material changes in circumstance since that would suggest a different conclusion is now warranted in respect of that part of the policy. I will comment on plots 4, 5, 6, 7 and 8 in light of the other criteria individually:

Plot 4

The existing buildings appear to remain in a reasonable condition and therefore capable of conversion without significant reconstruction. However the proposed development involves the partial demolition, an (albeit modest 0.5m) increase in height, ground and first floor extensions. The ground floor extensions account for just over 40% of the resulting footprint and 35% of total floor area – a significant proportion of the resulting dwelling.

Local Planning Guidance Note 3 advises that the emphasis in any conversion scheme must be upon demonstrating that the building in its present form is suitable for the proposed new use. There is thus a presumption against large extensions to the building itself.

The proposals represent a significant reconstruction, alteration and enlargement of the building and would result in a dwelling that retains little of the relatively simple brick built agricultural character of the existing building. Accordingly the proposals for the building represent a clear conflict with policies H3 and H5.

Plot 5

Local Planning Guidance Note No. 3 advises that some buildings are unsuitable for conversion due to their size or form of construction, or if the proposals would involve rebuilding more than 10% of the walls if the roof structure needs to be rebuilt, or 20% of the walls if the roof structure is to be retained. At national level, Technical Advice Note 23: Economic Development (TAN 23) supports the re-use of rural buildings but advises that where a building is unsuitable for conversion without extensive alteration or rebuilding, the same considerations relating to new house building in the open countryside will apply.

Plot 5 is a modern steel frame farm building. In order to provide the proposed dwelling unit the development will involve extensive reconstruction/new build works – indeed other than the steel frame, the majority of the fabric of the building will be entirely new. This would be tantamount to the erection of a new dwelling in the countryside, thus representing a clear conflict with policies H3 and H5.

Plots 6 and 7

It is accepted that the existing building is of little merit. It is also acknowledged that the extant permission is generous in terms of the alterations permitted to convert it to a dwelling, including increasing the ridge height by 2m and the introduction of new openings to create windows and door openings. However unlike the current proposals the scheme did broadly retain the general form of the building.

The current proposals involve extensive reconstruction and alteration of the existing building, including new extensions – around 18% of the floor area plot 6 and around 26% of the floor area of plot 7 will be derived from extensions. A central section of the existing building will also be removed and replaced by a glazed link in order to create what will be effectively two detached dwellings. Cumulatively the alterations and extension represent extensive reconstruction of the existing buildings that are tantamount to the erection of two new dwelling in the countryside, thus representing a clear departure from policy H3 and H5.

Plot 8

The plot is currently occupied by a pair of two storey buildings of differing age and construction as well as three single storey structures. The proposed plans involve the removal of the single storey structures and the partial removal of one of the two storey buildings together with a modest increase in height of the remaining section, the erection of a modest lean-two extension within the footprint of the buildings to be demolished and the installation of a glazed roof extension between the two structures.

Whilst the removal of the existing structures represents a significant alteration, the remaining structures are capable of conversion without extensive re-building. The form and appearance of the remaining structures is largely retained and is not compromised by the modest extensions/additions. On balance I find that the proposals for the building would be in accordance with policy H3.

Impact upon the character of the area: The site is located within a UDP Special Landscape Area (SLA). The application site is not subject to a SLA designation in the LDP, however paragraph 9.4.8 of the Development Management Manual advises that certainty regarding the content of the plan will only be achieved when the Inspector delivers their binding report – which will only take place post-Examination in Public. Whilst the Council has submitted the LDP for Examination and therefore must consider it to be sound, only limited weight can be afforded to the proposed removal of SLA status from the site and its surroundings at this time.

Other than where proposals comply with policies H3, H5 or H10, which is not the case here, residential development within SLAs represents a conflict with policy EC5. Furthermore planning policies locally and nationally seek to

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protect rural landscapes irrespective of whether they are subject to a specific local or national designation.

It is accepted that the proposals will result in the removal of a number of other buildings to the extent that there is a net reduction in the overall amount of built development on the site. The proposed curtilages would also sit within the existing site boundaries and would therefore not intrude into the rural landscape.

Notwithstanding the above the existing character of the site is agricultural and it is viewed in the context of a wholly agricultural landscape. The proposed development would bring about a fundamental change to that appearance. A rural agricultural character would be replaced by a development that, when considered as a whole, is effectively a new-build housing development of urban character completely out of keeping with and detracting from the rural surroundings of the site. This represents a clear conflict with policy GDP1(a).

Housing Land Supply: On 18 July 2018 the Welsh Government issued a Ministerial letter confirming the temporarily dis-applied paragraph 6.2 of TAN1 which had advised that that considerable weight should be attached to the need to increase housing land supply where local planning authorities were unable to demonstrate a 5 year housing land supply. The Ministerial letter confirms is now a matter for decision maker to determine the weight to be afforded to this matter.

The County Borough does not currently have a 5 year housing land supply, as required by Planning Policy Wales. Indeed because it does not have an up to date development plan, the UDP plan period expired in 2011, Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies advises that the housing land supply in the County Borough is judged to be zero. It is acknowledged that there has been a significant under delivery of housing since 2013 when measured against the housing requirements identified in the forthcoming LDP. In light of this, housing land supply is an important material consideration when dealing with proposals for residential development. However it must be taken into account in the context of the significance of the contribution individual proposals make to the supply of housing as well as how they perform in light of other local and national planning policies must also be taken into account.

I have already commented on the proposals in light of the UDP policies that deal with housing in the countryside and will discuss other relevant policies below.

Green Barrier: The UDP designation of Green Barriers is consistent with the Green Wedges referred to in Planning Policy Wales. Planning Policy Wales (paragraph 3.70) advises that inappropriate development should not be permitted within Green Wedges except in very exceptional circumstances where other considerations clearly outweigh the harm it would do to the Green Wedge. Paragraph 3.71 of PPW advises that the construction of new buildings is inappropriate development unless it is for the following purposes:

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- justified rural enterprise needs;
- essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the green wedge and which do not conflict with the purpose of including land within it;
- limited extension, alteration or replacement of existing dwellings; or
- small scale diversification within farm complexes where this is run as part of the farm business.

Green Barriers/Wedges do not have the permanence of a Green Belt (there being no Green Belts in Wrexham) and should be reviewed as part of the development plan process. The existing Green Barrier designations have been reviewed (Strategic Green Wedge Review October 2017) as part of the process of preparing Wrexham's Local Development Plan. The Deposit LDP proposes that site will **not** sit within one of the LDP Green Wedges. Nevertheless as discussed above in respect of SLAs, only limited weight can be afforded to the proposed removal of Green Wedge status from the site and its surroundings at this time.

PPW does not provide for off-setting whereby the demolition of some buildings enables new buildings to be erected or for a greater flexibility in applying rural conversion policies. It should also be noted that PPW only allows for the erection of replacement of existing dwellings. It does not allow for the erection of new dwellings in place of non-residential buildings. On the basis of my comments earlier about regarding the proposals for the majority of the site being effectively tantamount to a new-building housing development then I find that it constitutes inappropriate development within the Green Barrier and as such conflicts with policy EC1.

Previously Developed Land: The site is described in the supporting statement as having been used as a pig farm then as a workshop for commercial vehicle repairs. The majority of the buildings on the site are agricultural in appearance and would appear to have been erected with the intention of being used for that purpose. The extant structure described as Building 10 (existing)/plots 6 and 7 (proposed) is the only one with a more commercial/industrial character.

There is no extant planning permission for the operation of a vehicle repair business nor has the applicant or any previous owner sought a certificate of lawfulness. Whilst I understand that the past use of the site did generate significant haulage traffic reference is made by the Inspector in the appeal decision for application reference CB1060 that this was predominately in connection with the agricultural use of the site. I have not been provided with any substantive evidence to suggest that any haulage or vehicle repair activities were carried out at the site in a manner that would constitute lawful uses in their own right as opposed to being ancillary activities to the agricultural use of the site.

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Previously developed land is defined in Planning Policy Wales as land that is or was occupied by a permanent structure and associated surface structure. However agricultural or forestry buildings are excluded from that definition. The majority of the site would therefore appear to not fall within the definition of previously developed land.

Even if it is accepted that the haulage and vehicular repair activities resulted in the site being considered partly or indeed predominately previously developed land, there remains a clear conflict with planning policy.

Planning Policy Wales and UDP policy PS3 are supportive of previously developed land being re-used but it does not automatically follow that proposals to redevelopment such sites will be acceptable. Indeed Planning Policy Wales (paragraph 3.51) recognises that not all previously developed land is suitable for development. Furthermore individual parts of PPW or UDP policies cannot be read in isolation from other advice/policies.

PPW paragraph 3.35 advises that:

In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole.

PPW paragraph 3.39 advises on the search sequence that should be used when identifying sites for development. Planning authorities should consider previously developed land and/or underutilised sites located within existing settlements in the first instance with sites on the **edge** of settlements considered at the next stage. This advice is also repeated in paragraph 4.2.16 specifically in respect of housing sites. The site lies in open countryside approximately 330 metres from the UDP settlement limit for Rossett and approximately 290 metres from the settlement limit for Rossett proposed in the forthcoming LDP. In either case, the site cannot be described as lying on the edge of Rossett. It is clearly divorced from the village. The site would therefore not accord with the PPW search sequence.

PPW does **not** promote the re-use of previously developed land in the open countryside for housing development. Where there is no previously developed land or underutilised sites within or on the edge of settlements paragraph 3.40 of PPW advises that consideration should then be given to suitable and sustainable greenfield sites within and then on the edge of settlements. Paragraph 3.56 also confirms that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscape conservation. It advises that new building in the open countryside must continue to be strictly controlled.

I am aware that UDP policy EC15 states that action will be taken to protect and enhance general amenity through the reclamation and restoration of derelict sites and through the improvement of dilapidated buildings and other

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eyesores, particularly in sensitive locations. However I do not consider the policy applicable in this case. The applicant site extends to nearly 1.5 hectares in area so cannot be described as small. In any case, as already discussed above, individual policies cannot be read in isolation. EC15 does not override policies at local or national level in respect of development in the countryside. Furthermore there is no suggestion in the policy that the enhancement to general amenity necessarily involves bringing a vacant or dilapidated site back into use in every case. Enhancement of some sites may well simply involve the removal of structures likely to pose a safety risk due to their condition together with other remedial works such as landscaping.

Weight afforded to policies PS1, H3 and H5: The existing settlement limits reflect the housing requirements identified in the UDP that were informed by migration led projecting, using mitigation trends from 1996. The LDP housing requirements are informed by far more up to date information. It will not be possible to meet the County Borough's future housing requirements without the release of sites located outside of existing settlement limits and in light of this, policy PS1 is now outdated and therefore afforded less weight in the determination of planning applications.

Policies H3 and H5 are considered to be consistent with the paragraphs of PPW referenced in the previous section above, in particular the advice in paragraph 3.56. The limited number of circumstances whereby which new dwellings in the open countryside may be permitted identified in the policies are in general conformity PPW and therefore can be afforded significant weight in this instance.

Viability: In support of the development the applicant has put forward a Development Cost Appraisals that suggests the extant planning permission would not provide a sufficient rate of return to a developer and is therefore unviable. The extant permission would deliver a 5.8% return compared to 23.5% for the proposed development should no investment financing be required or 18.5% if it is.

Viability can be a material consideration in the determination of planning applications. This is however usually in the case of schemes where there is no objection to the principle of development but where the financial or other contributions that may be required to comply with specific planning policies that might render an otherwise beneficial proposal unviable. In my opinion it is not relevant to cases where there are clear policy objections to the principle of development, as is the case here. Indeed if the applicant's case were accepted here then it would fundamentally undermine local and national planning policies that seek to strictly control development in the countryside. Other developers would be encouraged to propose schemes to extensively reconstruct or replace rural buildings on the grounds that it is more profitable to do so than to convert them within the limitations set out in policy H3 and LPG3.

It is accepted that conversion schemes present challenges due to the constraints imposed by planning policy and guidance. However there is

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nothing in Planning Policy Wales to suggest that a more relaxed approach to housing in the countryside should be taken where a conversion scheme may not be viable. Members are therefore advised to give the applicant's viability appraisal very little weight in the consideration of this application.

Condition of the site: I note the comments made by the Community Council. Whilst I acknowledge that the site is in an increasingly dilapidated state, this does not provide a valid reason to support a development that represents a clear conflict with a number of UDP policies. If the significant weight was given to the existing condition of the site in the determination of the application then there is a significant risk it would encourage other landowners to allow sites to fall into states of disrepair in the hope of obtaining planning permission for otherwise inappropriate development. This would significantly undermine the objective of both local and national planning policy to strictly control development in rural areas.

Overall Balance: Whilst acknowledging that the need to increase the supply of land available for housing is a material consideration of significant weight, as I have also outlined above there are significant departures from a number of relevant planning policies. Given the policy conflicts (irrespective of the weight given to the Green Barrier and SLA designations in light of the forthcoming LDP) and the resulting harm that would occur were the development permitted, the modest contribution to the supply of housing made by the proposals is not significant enough in this instance to overcome the objections to the development and in order to warrant granting planning permission.

Highways: Plot 1 will be served by a new access, plot 2 by the access that serves the existing farmhouse and plots 3 to 8 by the existing access to the farm buildings. Adequate visibility splays can be provided for all 3 subject to the removal or reduction in height of existing obstructions. The visibility splays can be secured by condition.

Each plot has 4 bedrooms therefore in accordance with LPG16 a maximum of 3 parking spaces each would be permitted. Given the fact that the site is relatively remote from the centre of Rossett and public transport it is likely that future occupiers will be dependent upon private cars for most journeys. Accordingly on-site provision should accord with the LPG16 maximum in this case. In response to the comments made by Highways the plans have been amended to show adequate parking provision for each plot. The amended plans also now demonstrate adequate provision for turning for all plots.

Whilst noting the comments made by Highways that reducing the speed limit and introducing street lighting along Gamford Lane would be of benefit to pedestrian safety, the proposed development will generate significantly less traffic than the previous use. I understand that the site previously generated in excess of 100 vehicular movements per day, including HGVs. 8 dwellings are likely to generate fewer movements and with the exception of refuse collection vehicles, it is also far less likely to be visited by large vehicles than the previous agricultural use.

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I have not been provided with any evidence to demonstrate that the suggested improvements, whilst desirable, are necessary to make the development acceptable in planning terms and as such I do not consider a condition to require them would be Circular 06/2014: The Use of Planning Conditions for Development Management. It should also be noted that the principle of there being 8 dwellings on the site is already established, albeit by the previous and very different conversion scheme. Despite the significant differences between the two schemes in a number of other respects, the generation of vehicular or pedestrian traffic is likely to be comparable.

Ecology: The application is accompanied by an ecology report. This has identified that there are 6 buildings with bat roost potential – 5 having moderate potential and one having low potential. The report recommends that bat activity surveys are required to determine which buildings are being used, identity the species, abundance, roost locations and flight lines. Such works are necessary to enable the impact of the development to be properly assessed and in turn inform the nature and scope of the ecological mitigation that may be required. The additional surveys and a scheme of mitigation would be required before planning permission could be granted.

The same report has identified two ponds in the vicinity of the site that are considered to be of moderate/high value in respect of Great Crested Newts. The report recommends further survey works be carried in respect of GCN. As with bats, these surveys are required to determine the likely impact of the development and the nature and scope of any mitigation.

The application is accompanied by a separate report which recommends that further survey work is required in respect of badger activity.

By themselves the reports submitted with the application do not provide sufficient information to demonstrate that the development can take place without adverse impact upon statutorily protected species. The applicant has commissioned and submitted additional survey work and I have sought comments regarding them from Natural Resources Wales and the Council's Ecologist. I will update Members about this matter via the addendum.

Other Matters: I note the objections of Alyn Family Doctors, however their objection does not identify any evidence of a specific harm that would arise from the development. They have also provided no evidence to demonstrate whether the pressures they face are as a result of the capacity of physical infrastructure (i.e. surgeries) or staffing shortages.

The UDP does not contain any specific policies regarding developer contributions towards healthcare provision, however in general terms where developer contributions are sought to mitigate impacts arising from specific proposals they are normally to fund specific enhancements to physical infrastructure. So if contributions towards healthcare were justified it would be to fund enhancements to surgery premises to offset the impact arising from the development. Healthcare staff shortages are not unique to Wrexham,

however in my opinion it is not an issue for the Local Planning Authority to seek to mitigate. It is the responsibility of the Health Boards and the Welsh Government to ensure that healthcare services are provided with adequate levels of staff.

CONCLUSION

The development lies in open countryside, represents inappropriate development within the Green Barrier and will have a harmful urbanising effect on the site, the rural character of the locality and Special Landscape Area. It therefore does not accord with policies PS1, EC1, EC5, H5, H10 and GDP1 or advice contained in Planning Policy Wales regarding the location of new development in the countryside.

With regards to ecology, the development will comply with policy EC6 if NRW and the Council's ecologist confirm that the additional information recently submitted is sufficient information to demonstrate that the development can take place without harm to statutorily protected species. If not, the proposals will be in conflict with that policy also.

RECOMMENDATION: That the Chief Officer Planning and Regulatory Services be given delegated authority to **REFUSE** planning permission upon receipt of the outstanding consultations subject to the reasons set out below. Reason no.3 will be omitted if the consultation responses confirm that the development can take place without adverse impact upon statutorily protected species.

REASON(S)

1. The site lies outside of a settlement limit in open countryside and will have a detrimental impact upon the rural character of the site, its surroundings and the Special Landscape Area. The proposals therefore conflict with policies PS1, GDP1, EC5, H3, H5 and H10 of the Wrexham Unitary Development Plan.
 2. The proposals represent inappropriate development for sites within Green Barriers and therefore conflict with policy EC1 of the Wrexham Unitary Development Plan.
 3. Insufficient information has been submitted to demonstrate that the development can take place without harm to statutorily protected species. In the absence of this information the proposals conflict with policy EC6 of the Wrexham Unitary Development Plan.
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