

Reasons for Refusal

Reason 1

Firstly, we should advise that we do not live at the property, it is essentially a place of work and we travel here from home approximately 9 miles away.

The planning officer made an initial assessment and informed me of her intention to refuse the application in her email of 8/10/2021 (Email 6) following an enquiry made by me on 5/10/2021 (Email5).

I gave my reasons for requiring the facilities (Email 7) and then followed this up with a 'Planning Statement Additional Information' statement (now superseded by revision A) (Email 9).

The planning officer made suggestions as follows: -

- Whereas the planning officer maintained that a toilet / washroom, small kitchen, porch, cloakroom or rest room were not required, the suggestion was that the tack / store room could be accommodated within the existing stable block (Email 6). This suggestion was unrealistic as all the stables are required for my horses and was accordingly dismissed by me.
- A further suggestion for storage was made by the planning officer on the 21/10/2021 (Email 12) that a small lean-to could be added to the stable block or a small shed and again reiterating that the other facilities were not considered necessary. Again, I was unable to accept the logic in this and could not accept the unreasonable assertion that the facilities were not required.

It had become clear that the planning officer was not going to accept my reasons for requiring the building but having taken account of her arguments I reassessed and amended the application, reducing the size of the building by nearly 20% and because of this amended the position on the site (Email 15).

The scale of the proposed building has been reduced and standing aside the stable block will be seen to be much smaller. With a near 20% reduction in size from the original proposal and now having approximately 51 square metres of floor space, the building is, in my opinion, of an acceptable size and not excessive for its intended use.

The proposed building is a timber framed building with a mineralised felt roof and will be, in appearance, exactly the same as the adjacent stable block. Both will be manufactured by the same company and will look identical except in size. Both are top of the range buildings as I require the site to look professional and of pleasing appearance hence my reluctance to accept the planning officer's suggestion of a lean-to or small shed which would certainly have the opposite effect.

I can do no more to justify my need for the proposed building which I have set out clearly with detailed information in the 'PLANNING STATEMENT – ADDITIONAL INFORMATION (Revision A)', including my legal responsibilities and my desire to reduce journeys by car. I therefore disagree with the assertion that the 'justification submitted in support of the proposal does not demonstrate that there is a substantive need for a building of this type in this countryside location', this is clearly a subjective opinion which I consider to be very much in conflict with the facts and therefore misplaced.

Reason 2

I have followed advice from both the planning officer and Natural Resources Wales (NRW) (Email 2) regarding the information required for sewage and waste water disposal, culminating in a detailed analysis report submitted on 10/11/2021 with all other plans and documents of the amended planning application (Email 15).

Throughout this process I have been led, in particular, by NRW and have taken on board their guidance (Emails 1 to 4). I decided that the proposal for a small septic tank should be replaced by a proposed package sewage treatment plant and whereas the process of demonstrating that a septic tank or a sewage treatment plant are similar I submitted the detailed document 'ADDITIONAL INFORMATION - PACKAGE SEWAGE TREATMENT PLANT REV A' on 10/11/2021.

When emailing the amended planning application, including the above report, I suggested to the planning officer that if further information or explanation was required to please let me know. No request was made but then on the 17th November the application was refused. Although the information supplied, in my view, was adequate there was still more than enough time to supply whatever further information was required as an extension of time had been agreed to 6th December 2021 (Emails 14).

With reference to the 'ADDITIONAL INFORMATION (Revision A)' relating to the package sewage treatment plant this sets out clearly that the proposal has referred to Circular 008 2018 and has considered the possible impact on the wider Phosphate Sensitive Special Area of Conservation Catchment for the River Dee and Bala Lake. Referring to the British Water Flows and Loads 4 chart the maximum discharge through the proposed sewage treatment plant equates to a requirement for the smallest treatment plant available (Wrexham CBC Building Control will confirm on sizing the plant at the appropriate time prior to installation). I think it also fair to say that the total daily sewage load calculated as 450 litres is in reality likely to be much less. This figure is an estimate and it is debatable whether the Flows and Loads 4 chart can be applied to this proposal. The office / factory with canteen chart as opposed to the above standard residential estimate may be more appropriate which would give a total daily sewage load of 300 litres.

The sewage treatment plant document clearly demonstrates that the information submitted is sufficient to reach the conclusion that because of the small quantity of treated wastewater calculated to be discharged from the sewage treatment plant it is not likely to cause or have any significant effect on phosphorus levels within the River Dee and Bala Lake Special Area of Conservation. The LPA will have screened the proposal and it is assumed they have reached the same conclusion and therefore have not required a Habitats Regulations Assessment.

Finally, it is clear that NRW were not reconsulted after submission of my amended planning application on the 10th November and therefore we are, at this stage, without their expert opinion. They do advise, however, to both applicants and LPA's that judgement of the issues concerning the likely impact on a special area of conservation should be considered on a case-by-case basis (Email 2).

Therefore, my conclusion is that due to the volume of discharge and the inclusion in the proposal of a package sewage treatment plant there will be no adverse impacts on the SAC or the environment generally and that sufficient information has been supplied to demonstrate this.

Final Comments

Overton Community Council have considered this planning application and I understand have supported it or not offered any objection.

In addition, the association of which I am a member, the Thoroughbred Breeders Association, also forwarded detailed information of the business and support the application for the reasons they have given.

The main issue for the LPA appears to be whether it is reasonable for this small holding to have toilet facilities, a small kitchen and warm rest room together with storage facilities and a provision for hot water. Whereas I believed in the first instance that this proposal would be a simple planning application, I have since provided full and detailed reasons to support the need for this building.

Regarding reason 2 for refusing planning permission, I believe that again, full and detailed information has been provided which demonstrates that the proposal will have an insignificant or no effect on the SAC.

In conclusion therefore, I very much hope that the above information and argument put forward are sufficient to allow this appeal and respectfully request that planning approval is given.