

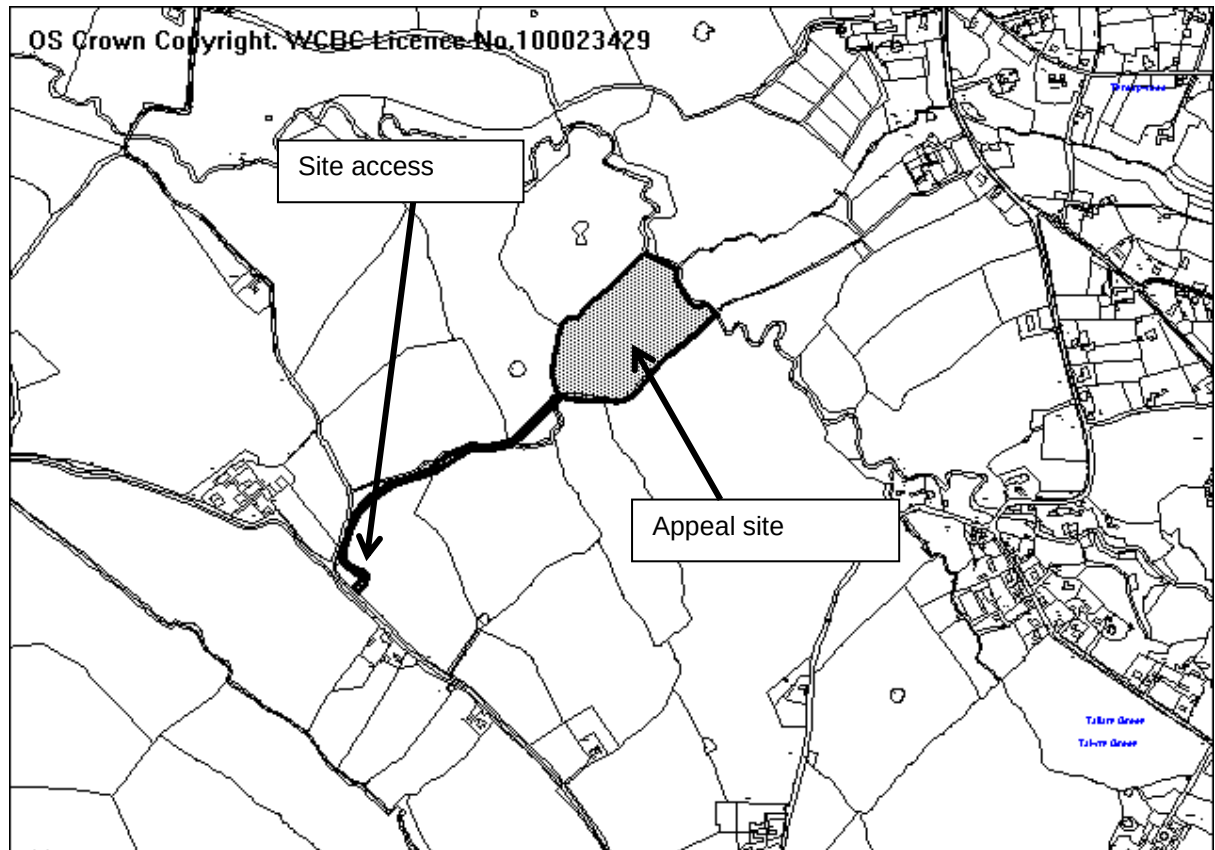
**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT
LAND AT MULSFORD LANE, MULSFORD, SARN, WREXHAM**

COUNCIL'S STATEMENT OF CASE

**PLANNING REF: P/2017/0799
PINS REF: 3208119**

1.0 THE SITE

- 1.1 The appeal site is an agricultural field located approximately 360m to the east of Mulsford Lane. It is currently occupied by a single agricultural building.



2.0 PROPOSAL

- 2.1 The proposed development is an intensive poultry unit comprising of two buildings each measuring 108.2m long x 24.38m wide, 2.9m high to the eaves and 5.58m high to the ridge, along with 4 associated feed bins which will have a diameter of 2.8m and be 6.4m high, access track and new site access.

3.0 PLANNING HISTORY

- 3.1 P/2016/0749 Erection of agricultural building for grain storage. Prior approval required and refused 22.8.2016
- 3.2 P/2016/1158 Erection of agricultural building for grain storage. Prior approval not required 12.1.2017

4.0 LOCAL PLANNING POLICY

- 4.1 The site lies in open countryside and within a designated Special Landscape Area, as designated by the Wrexham Unitary Development

Plan. Part of the appeal site is also located within zone C2 and footpath Worthenbury no.14 crosses the site. The following UDP policies are considered applicable:

- GDP1;
- EC3;
- EC5;
- EC6;
- EC12
- CLF6;
- T8.

- 4.2 The following supplementary planning guidance is also relevant:
- Wrexham LANDMAP Character Area 13b, English Maelor.

5.0 THE COUNCIL'S CASE

- 5.1 The proposed development is of a significant scale – the proposed buildings cumulatively occupying over 5000 sq.m in area, with the site as a whole, including proposed hardstanding areas, occupying around 1ha.
- 5.2 It is recognised that farming is the traditional predominant land use of the English Maelor and as a consequence, farm complexes with clusters of buildings of varying sizes can be found. However there are no buildings of the scale proposed in the locality. The development is therefore significantly at odds with the over character of other nearby agricultural development. Indeed whilst accepting that the intended use of the development falls within the definition of agriculture as defined by part 336 of the Town and Country Planning Act 1990, the proposed buildings are more akin to industrial buildings in scale.
- 5.3 The development will have a significant impact upon the appearance of the site and will result in considerable intrusion into the local landscape as is clearly demonstrated by the existing grain store that is situated adjacent to the location of the proposed buildings. The landscape is particularly sensitive to the change that would result from a development of this scale, the recognition of this being its designation as a Special Landscape Area in the UDP.

6.0 CONCLUSION

- 6.1 Due to its scale the development will have an adverse impact upon the Special Landscape Area and therefore conflicts with policies GDP1 (a) and EC5 of the Wrexham Unitary Development Plan. The Inspector is therefore respectfully requested to dismiss the appeal.

A.1 APPENDIX 1

Planning Obligation requirements and recommended conditions in the event of the Inspector being minded to allow the appeal.