
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 23/11/15

gan Iwan Lloyd BA BTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08/01/16

Appeal Decision

Site visit made on 23/11/15

by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 08/01/16

Appeal Ref: APP/H6955/A/15/3133722

Site address: Land adj to Llwynenion, Mountain Road, Rhosllanerchrugog, Wrexham LL14 1TG

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr P Jones against the decision of Wrexham County Borough Council.
 - The application Ref RHO P/2015/0376, dated 25/03/2015, was refused by notice dated 17/07/2015.
 - The development proposed is outline application for 2no residential dwellings.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The planning application is submitted in outline with all matters reserved for later determination.

Main Issue

3. I consider the main issue is whether there are material considerations sufficient to outweigh any conflict with local and national planning policies that seek to control development in the countryside outside settlement boundaries.
4. The Wrexham Unitary Development Plan (UDP) 1996-2011, adopted in 2005 is outside its plan period and as a result cannot demonstrate a 5-year housing land supply as set out in paragraphs 8.1, 8.2 and 6.2 of TAN1¹. Where the UDP is outside its plan period the local planning authority has been unable to undertake a current study of its housing supply. As a result, the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with the development plan and national planning policies. The lack of a 5-year housing land supply is a factor to be weighed in the overall planning balance.

¹ Technical Advice Note 1 – Joint Housing Land Availability Studies

Reasons

5. The appeal site is a paddock at the end of a string of houses served by a single track road leading from Hall Lane. The appeal site paddock is located outside the settlement boundary for Rhosllanerchrugog in the Special Landscape Area. To the north and west of the appeal site there are pasture fields, to the east a linear recreational area of ground and path linked to the Maes-y-Gornel residential estate. This development comprises of residential flats and these extend the built-up area of the settlement to the north beyond the string of houses and the appeal site. The appellant indicates that the appeal site is therefore a logical extension of the settlement which would not extend the building line presently delineated by the flat development to the east of the appeal site.
6. The appeal site would form part of a larger field and whilst there are fences and gates these features are not inherently defensible boundaries. There is a significant landscaped boundary to the east separating the recreational area from the appeal site but this only serves to separate the site visually from the Maes-y-Gornel development. The character of the site is predominantly open and the development encroaches onto this open land. The urbanising effect of this development on the open character of the countryside would be intrinsically harmful to the character and appearance of the area. This is because it would be seen as extending the ribbon of the built-up part of the settlement onto a predominantly open field. This encroachment would be seen from further-up Hall Lane. The existing development to the east is visually separate from the appeal site and does not signify that surrounding fields should be developed to align with the furthestmost outward extent of this development.
7. The appeal site reads as part of the countryside and as a consequence the development would erode its open character, contrary to UDP Policies PS1, PS2 (Strategic Policies), GDP1 a) (Development Objectives) and EC5 (Special Landscape Areas).
8. I have considered the concern about the access track and turning area but it appears that existing landscaping at this point is not continuous and there would be limited impact as a consequence of the highway improvements. The ownership issues are separate matters to the planning considerations, but in any event they do not outweigh my conclusion on the issue of character and appearance. The expansion of the industrial estate nearby would lead to greater demand for housing, but it does not follow that every site outside the settlement boundary represents a logical expansion of the village.
9. I conclude material considerations are not sufficient to outweigh the identified conflict with local and national planning policies.

Conclusions

10. The lack of a 5-year housing supply is given considerable weight in favour of the development where it otherwise complies with the development plan and national policies. In this case the development does not comply and therefore less weight would be attributed to the contribution this development would make to housing land supply. I conclude that the planning balance is against allowing the appeal.

Iwan Lloyd

INSPECTOR