
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 05/09/13

gan Kay Sheffield BA(Hons) DipTP
MRTPi

Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 07/10/13

Appeal Decision

Site visit made on 05/09/13

by Kay Sheffield BA(Hons) DipTP MRTPi

an Inspector appointed by the Welsh Ministers
Date: 07/10/13

Appeal Ref: APP/H6955/A/13/2200637

**Site address: Land to the south of Boundary House, Horseman's Green,
Whitchurch, SY13 3DY**

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 planning permission.
- The appeal is made by Mr R E Forrester against the decision of Wrexham County Borough Council.
- The application Ref P/2013/0219, dated 22 March 2013, was refused by notice dated 17 May 2013.
- The development proposed is the erection of a stable block and a store and personal facilities block.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the site and its surroundings.

Reasons

3. The Council granted planning permission¹ in 2007 for the erection of an 'L' shaped stable block and feed store which has been commenced. The appeal proposes the erection of two buildings in place of that permitted, one for use as stables and the second as a store and personal facilities block for the storage of feeds and equipment with toilet, sink and rest area. A proposal for a similar development was refused by the Council in 2012 and I dismissed the subsequent appeal² on the grounds that the size of the development would have a significant effect on the appearance of the site to the detriment of its character and that of the area.

¹ Application ref: P/2007/0291

² Appeal ref: APP/H6955/A/12/2184288 dated 18 January 2013

4. Whilst the appeal site lies in the open countryside outside of any defined settlement, the residential properties of Horseman's Green are only a short distance to the north. There are also outbuildings and stables on the open land which separates the site from these properties.
5. The boundaries of the site are marked by mature hedges and a public footpath runs along the inside of the northern boundary. The proposed stable block would be sited approximately 1.25 metres off the southern boundary using the base already laid for the building which has planning permission and its dimensions would also be similar but whereas the approved scheme allowed an 'L' shaped building, the stable block now proposed would be rectangular with a depth of approximately 3.8 metres. The siting and dimensions of the proposed stable block are as proposed in the scheme which was the subject of the previous appeal.
6. The second of the proposed buildings would include a store and personal facilities area and although the internal subdivision into the two uses is shown on the submitted plans, the internal arrangement in respect of the proposed toilet, sink and rest area is not shown. This building would be sited at right angles to the stable block with its southern side elevation almost in line with the centre of the side elevation of the stables and approximately 1.5 metres separation distance between them. The northern extent of the store and personal facilities block would correspond with the northernmost extent of the scheme with planning permission and in this position would screen activity taking place to the front of the stables in views from the road.
7. A belt of native planting approximately 5 metres deep and 10 metres wide is proposed to the west of the store and personal facilities block which would help break up views of both buildings from the road. In addition the appellant has indicated that he is prepared to allow the northern boundary hedge to grow to approximately 2 metres and maintain it at that height to provide further screening of the buildings. However, due to their height, at least the roofs to the buildings would still be visible from public viewpoints.
8. Whilst the proposed stable block would be smaller than the building already allowed by the Council, the total footprint of the two proposed buildings would represent an overall increase of approximately 12.7 square metres. Although this represents a reduction in respect of the previous appeal scheme, it would still represent a significant increase in the overall size of the buildings already permitted on the site. I remain concerned that visually the overall scale of the development would have a significant effect on the appearance of the site to the detriment of its character and that of the area generally.
9. I accept that the distance the buildings would stretch across the site would now correspond to the scheme granted permission and I acknowledge that in my previous decision I did not state that the principle of two buildings was unacceptable although I referred to the lack of evidence to justify the need on health and safety grounds. Notwithstanding this I consider that the scale of the development would be emphasised by being in two separate buildings in the layout proposed.
10. Post and rail fencing is proposed around the area within which the buildings and screen planting would be sited. Similar fencing across the width of the site to segregate the stables from the remainder of the field and fencing around the screen planting was a requirement of the planning permission and similar fencing can be seen at neighbouring stables. Whilst the fencing would not be out of character with the

area, I am concerned that in the position proposed it would define the area of built development further emphasising its scale.

11. The appellant has indicated that it is unacceptable for human facilities and animal housing to be side by side in the same building and it is for that reason that two separate buildings are required. However, in the submitted design and access statement it is stated that two separate buildings would be preferable to the permitted 'L' shaped building as separate facilities away from the housing of animals would avoid the ingress of liquids and smells and avoid infestations from vermin and insects. Nevertheless there is no substantive evidence that separate buildings are a requirement on grounds of health and safety or that the problems highlighted could only be avoided by the separation of the uses.
12. Although the size of the second building has been reduced since the last appeal and its position has been altered I do not consider that my previous concerns have been satisfactorily overcome. On balance I therefore conclude that the development would be detrimental to the character and appearance of the site and its surroundings, contrary to Policies PS2 and GDP1 of the Wrexham Unitary Development Plan, 2005.
13. Whilst residents contend that the size of the landholding is inadequate to support three horses, the number of stables remains the same as the approved scheme and whilst in the previous appeal this was also raised as an issue by the Council, it does not form any part of the Council's case in respect of the current appeal. I have noted the concerns of residents regarding the effect of the development on surface and foul drainage in the area. However, no details of the proposed drainage system have been submitted apart from an indication that the appellant is not proposing to connect into an existing drainage system and surface water will be disposed of via a soakaway. The Council has not raised drainage as an issue and in the absence of any substantive evidence as to the effect of the development on drainage in the area I am unable to reach a reasoned conclusion on this aspect of the case.
14. Whilst the appellant has expressed concerns regarding the handling of the application by the Council, this is not a matter over which I have any remit and has no bearing on my decision. The Council has highlighted the fact that due to the positioning of the proposed buildings it is possible that the original permission and the second of the proposed buildings could both be constructed should the appeal be allowed. Whilst this would be the case, I am satisfied that necessary steps to ensure the situation would not arise could be put in place.
15. For the reasons given above, and having had regard to all other matters raised, I conclude that the development would be detrimental to the character and appearance of the site and its surroundings. The appeal is therefore dismissed.

Kay Sheffield

Inspector