



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19/04/11

**gan R G Gardener BSc(TownPlan)
MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 06/05/11

Appeal Decision

Site visit made on 19/04/11

by R G Gardener BSc(TownPlan) MRTPI

an Inspector appointed by the Welsh Ministers

Date: 06/05/11

Appeal Ref: APP/H6955/A/11/2147038

**Site address: Land west of Bramble Barn, Redbrook Maelor, Whitchurch SY13
3AD**

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 L Wild against the decision of Wrexham County Borough Council.
 - The application Ref BRN P/2010/0895, dated 13/10/10, was refused by notice dated 04/01/11.
 - The development proposed is a change of use and erection of 2 No. detached dwellings.
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Decision

1. I dismiss the appeal.

Procedural matters

2. Bramble Barn is a detached single storey dwelling. It has vehicular access from what is now a remnant of the former route of the A525, which has been re-aligned and upgraded close by to the south. All usual matters have been reserved for future consideration should outline planning permission be granted. However, a layout has been provided which shows the existing means of access being shared by both the proposed plots and Bramble Barn, as well as access to a paddock and stable block to the rear. While this layout is said to be illustrative, in this respect there appears to be little alternative in view of the land levels involved.

Main Issues

3. This is whether the proposal is an acceptable form of development in the countryside having regard to the development plan policies and all other material considerations.

Reasons

4. Redbrook Maelor is a small collection of dwellings forming an irregular single frontage along Whitchurch Road, the former line of the A525, with Bramble Barn at its westernmost edge. The appeal site is beyond that and there is a further, outlying property, Westwood, to the north-west separated from the appeal site by its own large paddock and stables. In between is a telephone exchange so that the site frontage essentially occupies the space between it and Bramble Cottage.
5. The appellant relies on this gap being treated as being within a well developed built frontage. If that is so, Policy H5(b) of the adopted Wrexham Unitary Development

Plan 1996-2011 (WUDP) would support the proposal since it permits infill development in such situations of up to 2 dwellings. This would be a permissible exception to the usual strict control over new dwellings, as here, outside defined settlement limits as WUDP Strategic Policy PS1 specifies. That principle has already been applied in Redbrook Maelor where planning permission has been granted for a dwelling on such an infill plot alongside The Cottage to the east.

6. The Council, however, disagrees that the proposal is infill as the WUDP defines it to be. It is certainly the case that the break between Bramble Barn and Westwood could not be considered small as the policy expects. However, taken in isolation, the gap between Bramble Barn and the telephone exchange building could reasonably be considered to be an acceptable size since the resulting plots on the appeal site would not be dissimilar to those found in the built-up frontage eastwards from Bramble Barn. Given that the application is in outline form, it is also likely that the detailed requirements listed in Policy GDP1, which apply to all new development, could be met should the principle of the proposal be otherwise acceptable.
7. Even so, the exchange building is a modest, low building akin to a wooden shed. It is set back from the road and, despite being similarly elevated to the appeal site, is inconspicuous in the local scene. While the WUDP does not require an appropriate gap to be within a wholly residential frontage, because of its position, scale and form the exchange does not appear as a continuation of the line of buildings which culminates at Bramble Barn. In my view it does not contribute to a 'well developed built frontage' to which the WUDP refers and consequently the appeal site does not fall within such a frontage. As such, I consider that the proposal would not be infill development within the terms of Policy H5 but would in effect be an extension of ribbon development which the policy specifically seeks to prevent.
8. As to the existing use of the land, planning permission was granted on appeal in 2008¹ for a change of use from equestrian purposes to that of the farm clearance business. The business includes the display and sale of machinery as well as the parking of 2 lorries. As I saw, this can involve large items of equipment which are clearly seen from nearby highways. The Inspector, however, accepted the appellant's case not only that the use would not harm the character and appearance of the area but also that it offered a service to the agricultural industry and so was not inappropriate in this location. That it is now said that the proposal would provide an environmental gain by assisting the removal of the farm business is inconsistent and not persuasive.
9. In summary, the proposal does not accord with WUDP Policies PS1 and H5. In addition, it would extend the impact of existing development beyond the limits of the recognisable built frontage. It would consolidate the impact of residential development in the countryside, contrary to the Policy PS2 and, consequently, Policy GDP1(a). The impact of housing on the site would be exacerbated by the fact that the site is considerably higher than Bramble Cottage and others in the frontage. I note the suggestion that land levels could be reduced if necessary. While this might visually diminish the presence of the 2 additional houses here it does not remove the policy failings of the scheme. Nor, having seen the site and the levels involved, and in the absence of illustrative material, is it obvious how this could be easily achieved and with what consequences.

¹ Appeal ref: APP/H6955/A/08/2079403

10. I do not consider that these objections are outweighed by the removal of the farm clearance business or any other matter raised. Consequently, I have concluded that planning permission should not be granted and that the appeal should fail.

R G Gardener

Inspector