
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 29/03/21

**gan Mr A Thickett, BA (Hons) BTP Dip
RSA MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 26/4/21

Appeal Decision

Site visit made on 29/03/21

**by Mr A Thickett, BA (Hons) BTP Dip RSA
MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 26th April 2021

Appeal Ref: APP/H6955/A/20/3265186

**Site address: Land adjacent to the Old Post Office, Halton, Chirk, Wrexham, LL14
5BG**

**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 T Evans against the decision of Wrexham County Borough Council.
 - The application Ref: CHI P/2020/0267 dated 29 April 2020, was refused by notice dated 17 August 2020.
 - The development proposed is a dwelling. The appeal application is in outline with all matters reserved.
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Decision

1. The appeal is allowed and planning permission is granted for a dwelling at land adjacent to the Old Post Office, Halton, Chirk, Wrexham, LL14 5BG in accordance with the terms of the application, Ref: CHI P/2020/0267 dated 29 April 2020 and the plans submitted with it subject to the following conditions:

- 1) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012

- 2) Details of the means of access, appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990

- 3) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990

Application for costs

2. An application for costs was made by Mr T Evans against Wrexham County Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposed development conflicts with national and local policies designed to protect the countryside and promote sustainable development.

Reasons

4. The appeal site is a triangular shaped piece of land currently occupied by a former joinery workshop, the building covers most of the site. The site lies on the edge of a collection of dwellings in the countryside less than a quarter of a mile from the A5/A483 roundabout and services.
5. The site lies outside a settlement boundary as defined by the Wrexham Unitary Development Plan 1996-2011, adopted 2005. Policy PS1 states that new development for housing and employment will be directed to within defined settlement limits/employment areas. Policy H5 restricts new housing in the countryside and outside settlement boundaries to that required to support agriculture or forestry or rural exceptions affordable housing. None of these apply to the appeal proposal and it, therefore, conflicts with the UDP.
6. The site shares a boundary with the Old Post Office to the south but a field to the north and cannot be defined as infill. The UDP does not allow for the replacement of commercial buildings with housing in the countryside. Planning Policy Wales (PPW11) encourages the development of previously developed land but acknowledges that not all brownfield land is suitable for development.
7. I have read nothing to suggest that the workshop is not lawful and could not be brought back into use. The workshop has clearly been there for many years but its location, outside a settlement boundary or employment area, does not align with the UDP strategy or national policy. Should the workshop be brought back into use, which must be a possibility should this appeal be dismissed, it would inevitably generate vehicle movements relating to employees, customers, deliveries and collections.
8. The site lies on a narrow country lane close to a junction and, as stated above, the workshop covers most of the site. I saw no facility for parking off road. The occupiers of proposed dwelling would also be reliant on the motor car but the illustrative layout plan shows that there is space for a dwelling to be served by off street parking and turning space.

Conclusions

9. It seems to me that the choice here is between existing and proposed uses both reliant on motor transport and in a location neither of which find support for in local or national policy. On one hand there is a potentially non-conforming use next to housing with likely traffic/highway safety issues. On the other, a more neighbourly development of a new dwelling with off street parking with benefits with regard to highway safety.
10. I consider that these matters are material considerations which outweigh the conflict with the UDP and national policy and, for the reasons given above and having regard to all matters raised, I conclude that the appeal should be allowed.

11. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of building better environments.

Anthony Thickett

Inspector