

**Town and Country Planning Act 1990
Section 78 Appeal**

**Appeal at Land adjacent to Spectrum Garden Centre, Mold
Road, Cefn-Y-Bedd, Wrexham, LL12 9UR.**

COUNCIL'S STATEMENT OF CASE

PINS Ref: APP/H6955/A/20/3254854

LPA Ref: P/2019/0885

1 INTRODUCTION

- 1.1 The Council will primarily rely on the Case Officer Report appended to this document as Appendix 1 for the appeal. The Council request that the appeal be dismissed for the reasons set out on the planning decision notice.
- 1.2 The response to the appellants appeal statement is focused solely on the reason for refusal.

2 RESPONSE TO THE APELLANTS APPEAL STATEMENT

Reason for Refusal

- 2.1 The officer report outlines that no end use was proposed or put forward as part of the planning application. Therefore the actual use of the proposed development was considered to be ambiguous.
- 2.2 This remains the case. No actual use has been put forward in the Appellant's Appeal Statement as to what the building/office would be used for. The nature of the 'office' use as well as the garage has not been made clear.
- 2.3 Based on the submitted plans, an office with garage below could likely comprise A2, B1, B8 or sui generis use classes.
- 2.4 It should also be noted that the submitted Site Layout Plan (Dwg No. J128/005 Rev F) shows a substantial amount of curtilage associated with the proposal. No information has been submitted to outline why this extent of curtilage is required in association with the proposal, or what it would be used for.
- 2.4 Whilst it is acknowledged the building is fairly limited in its overall scale, in the absence of knowing the precise use and purpose of the building and its associated curtilage, an assessment of the impact the proposal would have on surrounding residential properties cannot be undertaken given the ambiguous nature of the development.

Conclusion

- 2.23 For the reasons set out above, as well as the justification outlined in the Officer Report, the Council respectfully requests that the appeal be dismissed.

3 SUGGESTED CONDITIONS

- 3.1 Should the appeal be allowed, a list of suggested conditions is attached at Appendix 2.