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PLANNING APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact our Helpline on 0303 444 5940. **To help you fill in this form correctly please refer our Procedural guide for Wales.**

WARNING: Your appeal must reach The Planning Inspectorate within 6 months of the date of the Local Planning authority's decision notice. (NOTE: If any of the "Essential supporting documents" listed in Section L are not received by us within the appeal period, the appeal will not be accepted)

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT – The name of the person(s) making the appeal **must** appear as an applicant on the application form. **If this is not the case the appeal may not be registered.**

Name	MR STEVEN FLANAGAN MRS CHERYL FLANAGAN
Organisation Name (if applicable)	

B. AGENT (if any) FOR THE APPEAL

Name		
Organisation Name (if applicable)		
Reference		

C. LOCAL PLANNING AUTHORITY (LPA)

Name of the LPA	WREXHAM COUNTY BOROUGH COUNCIL		
LPA's application reference number	WOR P/2019/0565		
Application form dated	24/07/2019		
Date of LPA's Decision notice (if issued)	04/11/2019		

D. APPEAL SITE ADDRESS

Address	1 QUEENSFORD MULSFORD LANE WORTHENBURY WREXHAM
Postcode	LL13 0AP

Size of the whole appeal site (in hectares)	0.045 ha
Area of floor space of the proposed development (in square metres)	15m ²

	YES*	NO
Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? <i>*If yes, please explain in your full statement of case (section H)</i>		✓

	YES*	NO
Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?	✓	
Is it essential for the Inspector to enter the site to check measurements or other relevant facts? <i>* If the answer is 'YES' please explain below</i>		✓

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NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or relevant facts.

E. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme. Please enclose a copy of the LPA's agreement to the change.

ERECTOR OF SHED (IN RETROSPECT)
1 QUEENSFORD MILLSFORD LANE WORTHENBURY WREXHAM

	YES	NO
Has the description of the works changed from that entered on the application form?		✓
Is flooding an issue?		✓
Does the works affect the setting of a listed building?		✓
Is the appeal site within an Area of Outstanding Natural Beauty?		✓
Does the site lie within a conservation area?		✓
Does the site lie within a green belt/green wedge?		✓
Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?		✓

F. REASON FOR THE APPEAL

This appeal is against the LPA's decision to:

Please tick which applies



1.	Refuse planning permission for the proposed development.	✓
2.	Grant planning permission for the development subject to conditions to which you object.	
3.	Refuse approval of the matters reserved under an outline planning permission.	
4.	Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.	
5.	Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).	
6.	The failure of the LPA to give its decision within the appropriate period (usually 8 weeks) on an application for planning permission.	

G. Other Appeals

	YES	NO
Have you made any other appeals to us, for this, or nearby land, for example, against a refusal of planning permission?		✓
If yes please give details, including our reference number, if known.		

H. FULL STATEMENT OF CASE

This is your **only** opportunity to make your case in connection with the reason for the appeal as indicated in section F. Therefore please provide your **FULL** statement of case. To do this, you need to go through the reasons for the decision (if provided), and explain why you disagree. Only the reasons within the LPA's decision and the reasons put forward by you at application stage should be included on your appeal form. You should not introduce any new reasons for the appeal. Please refer to our Procedural Guide for Wales for further information.

Please continue on a separate sheet if necessary

SEE ATTACHED ADDITIONAL SHEETS

H. Full Statement of Case

Refusal for Erection of Wooden Shed WOR P/2019/0565

We have dealt with Wrexham Borough Council Planning team in the past for a number of small alterations to our property and been very satisfied with their advice response and assistance with understanding the planning policy and building regulations.

After consulting the Wrexham Borough Council Planning site and reading the local planning guidance on for permitted development Note No13 section F and Note No14 the situation was not clear therefore we contacted the Planning Team.

Objection GDP1 Development Objectives Note No 30

The purpose of the shed was to reduce our carbon footprint to enable us both to work from home and provide additional information storage as we were limited inside the property.

This particular planning process was started in January 2019 with 2 enquiries to Wrexham borough council planning team please see phone record attached (appendix I) for one of our lengthy conversations. On two occasions we spoke with planning officers to ascertain if the erection of an outside shed would come under planning or permitted development.

On both occasions we were given the guidance it was permitted development and advised on our own property and there was no mention of where the shed could or could not be sited in relation to the dwelling.

We would request that Wrexham Borough Council Planning Department submit their records of the telephone conversation to ensure clarity around the discussions that took place as per date and time attached (Appendix I).

Based on the discussions and advice we were given we proceeded to commission the shed in March 2019 and had we been advised against this we would never have done so as this was a significant expense and investment on our behalf.

We had even discussed the possibility of building a full-size garage with the planning officer as the plot would be large enough and at no point did any planning officer suggest that this would be outside of the planning policy.

Reference Objection PS2 Settlement limits

To support our assumption that there to be no issues what so ever are the many examples on Mulsford Lane of dwellings with Garages, Stores, Sheds and outbuildings road side of the properties and featuring in the same manner on the "Street Scene" similar to our erection along Mulsford Lane (Appendix II). Examples of garages and sheds being on the road side of the original properties on Mulsford lane appear to be the rule rather than the exception.

As can be seen in the same street scene as our shed on Mulsford lane Boundary Cottage Bowling Bank Farm House and Mulford Court all have sheds, garages and outbuildings roadside of the properties.

In another example we have been informed that the houses off in Broughton Crescent have their front gardens onto the B5069 Frog lane with several of these houses also having sheds and other building to the front and roadside of the property (Appendix III).

It would appear this has been taken into account by planners when the Emral court development was approved as all of the houses have double garages to the front road side of the property (Appendix III).

H. Full Statement of Case

This would appear to be very discriminatory as there are in Emral court many new builds with buildings at the front of their houses and on Wrexham road, on Wrexham road travelling out of Worthenbury towards Malpas several houses which have their front doors onto the main road with no access but non-the-less the front aspect of the property and these have sheds, conservatories and porches at the front.

This does lead us to believe that we have been discriminated against in regards to the consistency of advice in regards to permission by the council and that there has been a high level of ambiguity around what is permissible and not.

Objection PS2 Development and the Environment Note 32

We consulted our neighbours in the row we live in and who were in favour of the shed and said it would be a great improvement on the green panelled fence and old school chain fence they looked at previously which had been in situ for many years. The neighbours further into Worthenbury have had no alteration to their view as can be seen from the photographs they can only see the large panel fencing which as stated above has been there for many years and was already in place when we moved into our house.

The shed is a well manufactured timber clad building made from sustainable materials no permanent structure and sympathetic to surrounding wooded environment with very little impact from three sides i.e. facing our property backing on to the green panel fence and road side a large area of mature bushes trees and shrubs the only side view along Mulsford lane which there is only one further property other than that no traffic apart from farm vehicles. Many of the passing dog walkers have commented on how the wooden building is also an improvement on the view. A member of the Wrexham Planning team even commented that the building was very sheltered and hidden behind the shrubs and fencing.

Objection T8 Parking

Wrexham Council Traffic Department had no objections and suggested there was no compromise to the available parking we are able to park up to 4 vehicles on our drive way. We note some residents in Worthenbury have commented on the white uPVC windows which we chose to be in keeping with the house although we would be willing to alter these if required. We have always tried to increase the aesthetics of our house and gardens not just to add value to the property but for both our enjoyment and others and hope that we are allowed to retain this additional storage and working home office area which we rely on rather than having to relocate.

I. PROCEDURE (see guidance for further information)

Appeals dealt with under Part 4 of The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 can be considered on the basis of written representation, a hearing, an inquiry or combined proceedings. In accordance with the Town and Country Planning (Determination of Procedure) (Wales) Order 2017 the Planning Inspectorate must make a determination as to the procedure. Therefore we will take in to consideration your views below when determining the procedure. If insufficient reasons are given for a hearing or inquiry we may adopt the written representations procedure.

Please tick one box only

I consider the written representations procedure is appropriate.	☒
I do not consider that the written representations procedure is appropriate for the reasons given in the box below. I accept that it will be the Inspectorate's discretion as to whether a hearing, inquiry or combination will take place.	☐

If you feel that a hearing or inquiry is needed please provide your full reasons below, including the likely number of days you feel that the event will last and how many witnesses you intend to call.

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J. APPLICATION FOR AN AWARD OF COSTS (see guidance for further information)

	YES	NO
Do you intend to submit a costs application with this appeal? <i>If yes, it must be submitted below</i>	☐	☒

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K. Appeal Site Ownership Details (Part 1)

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.

YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.

Please read the guidance leaflet 'How to complete your planning appeal form' if in doubt.

Please tick **ONE** box only

CERTIFICATE A (If you are the sole owner of the whole appeal site, certificate A will apply)	☒
I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see the guidance leaflet for a definition) of any part of the land to which the appeal relates <i>SEE ATTACHED COMPLETE APPLICATION.</i>	

OR

CERTIFICATE B	☐
I certify that the appellant (or the agent) has given the requisite notice (see the guidance leaflet) to everyone else who, on the day 21 days before the date of this appeal, was the owner (see the guidance leaflet for a definition) of any part of the land to which the appeal relates, as listed below:	

Owner's Name	Date the notice was served

Please supply owner's address(es) on personal details page

CERTIFICATES C and D	☒
If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D at Annex 1, how to complete your Appeal.	

K. Appeal Site Ownership Details (Part 2) - AGRICULTURAL HOLDINGS CERTIFICATE
(this must be completed for all appeals)

We also need to know either the appeal site forms part of an agricultural holding.

Please tick either (a) or (b).

a	None of the land to which the appeal relates is, or is part of, an agricultural holding	☒
<i>SEE ATTACHED COMPLETE APPLICATION</i>		
bi	The appeal site is, or is part of an agricultural holding, and the appellant is the sole agricultural tenant	☐
bii	The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:	☐

Tenant's Name	Date the notice was served

Please supply Tenant's address(es) on personal details page

L. Essential supporting documents

The documents listed in 1–6 below, must be sent with your appeal form; 7–12 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it.

Please tick the boxes to show which documents you are enclosing.



1	A copy of the original planning application sent to the LPA	☒
2	A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).	☒
3	A copy of the LPA's decision notice (if issued).	☒
4	A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded in blue.	☒
5	A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.	☒
6	A list (stating drawing numbers) and copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).	☒
7	A copy of the Design and Access Statement (if required).	☐
8	Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers below:	☒
9	Any relevant correspondence with the LPA.	☒
10	If the appeal is against the LPA's refusal or failure to approve the matters resolved under an outline permission, please enclose:	☐
a	the relevant outline application;	☐
b	all plans sent at outline application stage;	☐
c	the original outline planning permission;	☐
11	The appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the original permission with the condition attached.	☐
12	If the appeal is against the LPA's failure to decide an application please supply a copy of the LPA's letter registering your application.	☐
13	A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	☐