
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 4/1/18

**gan Declan Beggan BSc (Hons) MSc
DipTP DipMan MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08.01.2018

Appeal Decision

Site visit made on 4/1/18

**by Declan Beggan BSc (Hons) MSc DipTP
DipMan MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 08.01.2018

Appeal Ref: APP/H6955/D/17/3189548

Site address: Cae Ffynnon, Holt Road, Llan Y Pwll, Wrexham, LL13 9SA

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 (the Act) against a refusal to grant planning permission.
- The appeal is made by Mr Chris Gash against the decision of Wrexham County Borough Council.
- The application Ref HOL P/2017/0685, dated 9 August 2017, was refused by notice dated 28 September 2017.
- The development proposed is for the erection of a detached triple garage.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached triple garage, in accordance with the terms of the application, Ref. HOL P/2017/0685, dated 9 August 2017, and the plans submitted with it, subject to the following conditions:
 - 1) The development shall begin no later than five years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved plans: Site & Location Plan shown on Drawing Ref. C084/005 and details shown on Drawing Ref. C084/009 entitled Planning Garage.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority.
Development shall be carried out in accordance with the approved details.

Procedural Matter

2. The description of the development as stated on the application form and the Council's refusal notice/appeal form varies slightly; the description as given on the latter and copied into the banner heading above is more accurate and it's on this basis that I have determined the appeal.
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Main Issue

3. I consider the main issue is the effect of the proposed development on the character and appearance of area.

Reasons

4. Cae Ffynnon is a dwelling located in open countryside off a minor road next to a dual carriageway. To one side of the site is a complex of farm buildings, with other properties located slightly further along the road.
5. Policy GDP1 of the adopted Wrexham Unitary Development Plan (UDP) seeks, inter alia, to ensure that development accords with the character of the site and makes a positive contribution to the appearance of the locality. Policy PS2 is strategic in nature and refers to development not materially detrimentally affecting the countryside, landscape character or the quality of the natural environment. The Council's adopted Local Planning Guidance Note No. 13 Housing in the Countryside (LPGN13) states that in terms of extensions to dwellings in the countryside, due to the potential visual impact, the scale of extensions is an especially significant consideration; a number of guidelines in such instances are applicable with one stating domestic garages located within properties outside of a settlement limit must be proportional to the needs of the dwelling, and there will rarely be circumstances where accommodation for more than two cars can be justified.
6. The Council argue the proposed garage by virtue of its scale and prominent location within the site would be materially detrimental to the character and appearance of the countryside; I disagree.
7. The garage whilst providing parking for three cars nonetheless retains a domestic scale due to its relatively low pitched roof height. Its scale does not appear out of character with the adjacent dwelling which occupies a significantly larger footprint and is greater in height; in addition the proposed garage would only occupy a very modest part of the property's extensive domestic curtilage. I therefore do not consider the proposed development's scale would appear at odds or look out of character with the general locality in which it is to be sited.
8. The proposal is roughly in line with the existing dwelling in terms of its proximity to the nearby minor road. When viewed from nearby vantage points the proposed garage would benefit from the screening effects of the existing dwelling or be seen set against that existing dwelling. Whilst the proposal may be more apparent in views to the south due to the open topography, nonetheless, any views will still be generally seen in the context of existing development which includes not only Cae Ffynnon and its newly constructed stable block, but also the adjacent farm complex, in addition to a backdrop of trees which line the bank separating the site from the land to north where the dual carriageway is located. For these reasons the proposal would not be unduly prominent within the locality, and as a consequence would not be detrimental to the character and appearance of the countryside. In addition, subject to controlling the use of external materials, I see no reason why the proposal would not make a positive contribution to the appearance of the locality.
9. In locations such as the appeal site LPGN13 refers to garages being proportional to the needs of the dwelling. In this instance I noted whilst on the site a number of parked domestic type vehicles that appeared to be associated with the property; to my mind such numbers of vehicles are not particularly disproportionate to needs of a residential property. The general thrust of the advice given in LPGN13 relates to safeguarding

the visual amenity, and the character and appearance of the countryside; I have found no detriment in regard to these matters and therefore the proposal is in broad terms compliant with LPGN13.

10. Drawing the threads of the above together the proposed development would not be detrimental to the character and appearance of the area, and would therefore not conflict with policies GDP1 and PS2 of the UDP, nor would it be at odds with LPGN13, which in broad terms seeks to safeguard visual amenity and the character and appearance of the area.

Conditions

11. The Council have suggested conditions in regards to the standard time limit, the development being carried out in accordance with approved plans, in addition to external finishes. In light of advice contained within Welsh Government Circular 016/2014 *The Use of Planning Conditions for Development Management*, I consider all the suggested conditions are reasonable and necessary.

Conclusion

12. After taking account of all the evidence before me, and for the reasons given above, I conclude that the appeal should be allowed.
13. 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 supporting safe, cohesive and resilient communities.

Declan Beggan

INSPECTOR