
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/07/17

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

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 16.08.2017

Appeal Decision

Site visit made on 17/07/17

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

an Inspector appointed by the Welsh Ministers

Date: 16.08.2017

Appeal Ref: APP/H6955/A/17/3174267

Site address: Berwig Farm, Maes Y Fynnon Road, Minera, LL11 3DE

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 planning permission.
 - The appeal is made by P Ikin against the decision of Wrexham County Borough Council.
 - The application Ref MIN P/2016/0869, dated 8 July 2016, was refused by notice dated 2 November 2016.
 - The development proposed is the "Siting of shipping container for storage (S73a) and erection of boundary fence."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development differs slightly on the planning application/appeal forms to that stated on the Council's refusal notice. The description as given on the planning application/appeal forms is more accurate and it is on this basis that I have determined the appeal.
3. Planning Policy Wales (PPW) Edition 9 was issued on 17/11/2016, after the Council's decision was made, and replaces PPW Edition 8. The advice contained in PPW does not alter the advice in so far it pertains to the identified main issue. I therefore do not consider any prejudice would arise in my dealing with this appeal on the basis of the revised PPW.

Main Issue

4. The main issue in this appeal is the effect of the development to be retained on the character and appearance of an Area of Outstanding Natural Beauty (AONB)

Reasons

5. The appeal site is located in gently undulating countryside adjacent to a minor road known as Maes Y Fynnon. The nearest settlement is Minera. Adjacent to the site are the ruins of what appear to be former dwellings. The site is located within the Clwydian Range and Dee Valley AONB.
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6. Policy GDP1 (a) of the Wrexham Unitary Development Plan (UDP) seeks to ensure that development accords with the character of the site and makes a positive contribution to the appearance of the locality. PPW states the countryside, in line with sustainability principles, should be conserved and where possible enhanced for its own sake. PPW also affords AONB's the highest status of protection from inappropriate development and states the primary objective for designating AONB's is the conservation and enhancement of their natural beauty.
7. The development to be retained is used for the storage of domestic paraphernalia belonging to the Appellant whilst he is abroad. I have been provided with no substantive documentary evidence that such storage is incidental to any established or lawful use of the site, and there is no evidence to indicate it is required in connection with any other potential lawful use of the land such as agriculture or for forestry purposes.
8. The container with its utilitarian form and its associated hardstanding has an urbanising effect that would erode the rural character of the area. Notwithstanding the fact that it will be seen against a backdrop of rising land to its rear, the container is conspicuous when viewed from the adjacent road and results in an intrusive form of development which is significantly detrimental to the character and appearance of the area and the natural beauty of the AONB.
9. I appreciate the existing trees to the boundaries of the site assist in screening the development from public vantage points, however the screening effects are limited and likely to be absent for significant periods such as the early or latter parts of the year. The other works associated with the container such as the hardstanding area and the proposed fence exacerbates the impact of the development on the character and appearance of the area. For these reasons the development to be retained does not conserve or enhance the natural beauty of the AONB and has not been justified in its rural location away from the nearest settlement, and therefore it runs contrary to local and national planning policies.
10. For the above reasons I conclude that the development to be retained would harm the character and appearance of the surrounding area which is a designated AONB. After taking account of all the evidence before me, and for the reasons given above, I conclude that the appeal should be dismissed.
11. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the WBFG Act. In reaching my decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and I consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Declan Beggan

INSPECTOR