

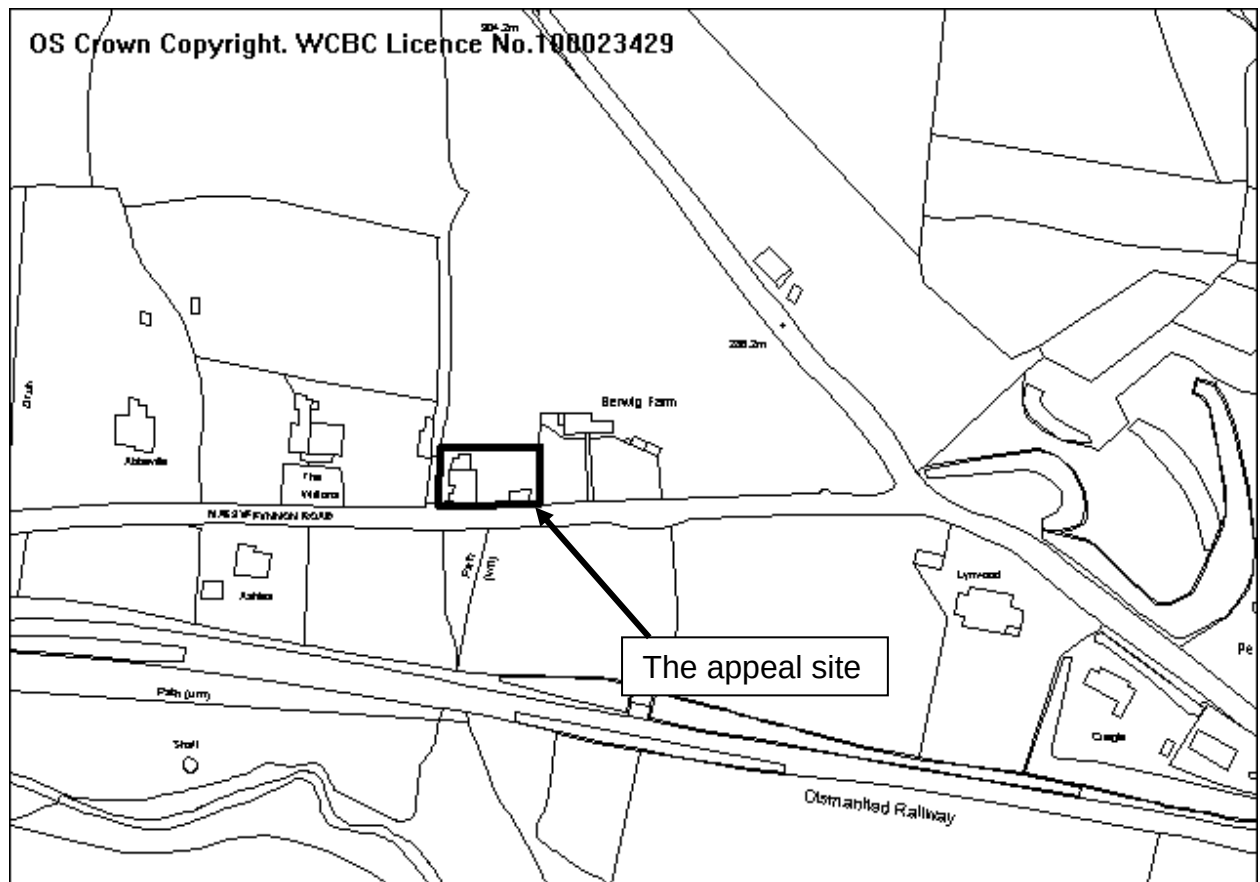
**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT  
BERWIG FARM MAES Y FYNNON ROAD MINERA**

**COUNCIL'S STATEMENT OF CASE**

**PLANNING REF: P/2016/0869**

**PINS REF: 3174267**

## 1.0 THE SITE



## 2.0 PROPOSAL

- 2.1 Retrospective permission is sought for the siting of shipping container and the erection of a boundary fence.

## 3.0 NATIONAL PLANNING CONTEXT

- 3.1 Planning Policy Wales, in particular Chapter 5

## 4.0 LOCAL PLANNING CONTEXT

- 4.1 Wrexham Unitary Development Plan, policy GDP1.

## 5.0 THE COUNCIL'S CASE

- 5.1 The appellant seeks permission for the siting of a container to be used for the storage of domestic paraphernalia, although it isn't clear what exactly is being stored at the site. However at the time of the Council's decision a camper van was also parked on the site alongside the container under a tarpaulin (see below).



- 5.2 Whilst the parking of the camper van is not within the scope of the appeal, the Council considers it to be indicative that the storage use is similar that which would normally be considered incidental to residential use and found taking place within the curtilage of a dwelling.
- 5.3 This is a greenfield site with (except for agriculture or forestry) no lawful use. The Council accepts that the site was once occupied, however only the ruins of former dwellings now remain and it is therefore clear that any residential use rights have been long abandoned. The storage use is therefore not incidental to any established or lawful use. Furthermore the storage does not appear to be integral to or necessary for the use/maintenance of the site.
- 5.4. The container and associated hardstanding detract from the appearance of the site and its surroundings, which are located within the Clwydian and Dee Valley Area of Outstanding Natural Beauty. The container is in rather stark contrast to the rural character of the locality, indeed it gives the site an industrial appearance, albeit on a relatively small scale. The Council contends that the siting of the container does not conserve or enhance the natural beauty of the Area of Outstanding Natural Beauty.

## **6.0 CONCLUSION**

- 6.1 The container and associated hard surfaced area detract from the appearance of the site, the rural character of the immediate locality as well as the wider Area of Outstanding Natural Beauty. It is therefore in conflict with policy GDP1(a) of the Wrexham Unitary Development Plan. The Council respectfully requests the appeal be dismissed.