



## Penderfyniad ar yr Apêl

## Appeal Decision

Ymweliad â safle a wnaed ar 07/06/12

Site visit made on 07/06/12

**gan Gareth A. Rennie BSc (Hons) DipTP**  
**Arolygydd a benodir gan Weinidogion Cymru**  
**Dyddiad: 06/07/12**

**by Gareth A. Rennie BSc (Hons) DipTP**  
**an Inspector appointed by the Welsh Ministers**  
**Date: 06/07/12**

**Appeal Ref: APP/H6955/A/12/2171513**

**Site address: land at the rear of Quarry Brow, Pant Lane, Gresford, Wrexham**

**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 Residents of Quarry Brow against the decision of Wrexham County Borough Council.
- The application Ref GRE P/2011/0499, dated 18 January 2011, was refused by notice dated 14 October 2011.
- The development proposed is a change of use to form garden extensions.

### Decision

1. The appeal is dismissed.

### Main Issue

2. I consider that the main issues in this case are as follows:
  - Whether the development represents inappropriate development in the Green Barrier.
  - Whether there would be any other harm to the Green Barrier.
  - Whether the benefits of the development would clearly outweigh any harm to the Green Barrier together with any other harm, and thus justify the development on the basis of exceptional circumstances.

### Reasons

3. The appeal site does lie within an area designated as Green Barrier (GB). National planning guidance, contained within Planning Policy Wales (PPW) makes it clear that new development in a GB is inappropriate except under certain circumstances including for the purposes of informal recreation. Inappropriate development is, by definition, harmful to the GB. This is reiterated in policy Gen4 of the Wrexham Unitary Development Plan.
4. In this case an area of open land has been acquired by the residents of Quarry Brow and has been fenced off and subdivided to form garden extensions for each of the properties within the row from Marlans in the south to Fairview House in the north.

5. The residents seek a change of use to extended garden areas. This would allow these extended areas to be incorporated into the existing gardens. Indeed, it seems apparent that the former rear boundaries to the original gardens have been removed and in some cases additional landscaping and landforming has taken place to allow access into the additional areas.
6. The appellants have indicated that they intend to maintain the land as informal recreation land. Even so the proposed change of use would permit the use of the land for use as garden areas and extend the curtilages of the dwellings along Quarry Brow. I consider that this would allow the introduction of garden structures and paraphernalia that would give the appeal site a more built up appearance and quality. This would, as a result, have a harmful effect on the openness and character and appearance of the GB. The appeal site is a large linear area and the combined impact would cause serious harm.
7. The site is also within a Special Landscape Area (SLA). Policy EC5 of the Wrexham unitary development plan (UDP) says that within these areas priority should be given to conservation and enhancement of the landscape. I consider that the management and appearance of the land would change considerably and this would undermine the character and appearance of the area and its surroundings and thereby the intentions of the SLA designation.
8. The Local Planning Authority has adopted a Local Planning Guidance Note No 13 – *Housing in the Countryside* (LPGN). This says that garden extensions will only be permitted subject to a number of criteria and provided that the overall character and appearance of the rural landscape is not harmed. In this case the dwellings along Quarry Brow have sizeable existing gardens, the additional areas are not required for access or for the provision of services and I do not consider that the proposal would result in a more logical boundary or boundaries.
9. Overall, I conclude that the proposal is inappropriate development in the GB. There would also be some other harm to the character and appearance of the area as a result of the proposal. However, there are no exceptional circumstances which clearly outweigh the harm by reason of inappropriateness.
10. I conclude therefore that the proposal is contrary to policies PS1, EC1 and EC2 of the UDP and to advice contained within the LPGN.
11. I note that the residents wish to protect the area to the rear of their properties from further development but I consider that has probably been achieved by its acquisition. Moreover, I understand that permission has been granted for the use of the adjacent land for recreational use. Informal recreational use of the subdivided areas could continue without the harm that that would result from the proposed change of use.
12. I appreciate the appellant's intentions but consider that the imposition of conditions would not fully protect the openness of the GB or the character and appearance of the appeal site. Suitable conditions could perhaps control the erection of structures within the areas but would do little to control the overall change in character or of the usual paraphernalia associated with gardens.
13. I also consider that the suggested landscaping conditions would not offset the harm that I have identified. Moreover, this is a permanent change to the use of the land which would persist long after the interests and intentions of the current residents cease to be material.

14. Consequently for the reasons given above and having considered all other matters raised I conclude that the appeal should be dismissed.

*Gareth A. Rennie*

Inspector