



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 09/01/13

gan **Kay Sheffield BA(Hons) DipTP MRTPI**

Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 18/01/13

Appeal Decision

Site visit made on 09/01/13

by **Kay Sheffield BA(Hons) DipTP MRTPI**

an Inspector appointed by the Welsh Ministers
Date: 18/01/13

Appeal Ref: APP/H6955/A/12/2184288

Site address: Land to the south of Boundary House, Horseman's Green, Whitchurch, SY13 3DY

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 Mr R E Forrester against the decision of Wrexham County Borough Council.
 - The application Ref P/2012/0380, dated 18 May 2012, was refused by notice dated 19 July 2012.
 - The development proposed is the erection of a stable block and store, kitchen and toilet block.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the character of the site and on the visual amenity and nature conservation interest of the area.

Reasons

3. The Council granted planning permission¹ in 2007 for the erection of an 'L' shaped stable block and feed store which has been commenced. The appeal proposes the erection of two buildings in place of that permitted, one for use as stables and the second for use as a store, kitchen and toilet.
4. Whilst the appeal site lies in the open countryside outside of any defined settlement, the residential properties of Horseman's Green are only a short distance to the north. There are also outbuildings and stables on the open land which separates the site from these properties.
5. The proposed stable block would be sited approximately 1.25 metres off the southern boundary of the site which, together with the other boundaries of the site, is marked by a mature hedge. The proposed position of the stable block reflects that of the building for which the Council has already granted planning permission, and its

¹ Application ref: P/2007/0291

dimensions would also be similar, but whereas the approved scheme allowed an 'L' shaped building, the stable block now proposed would be rectangular giving a depth of approximately 3.8 metres. The second of the proposed buildings would include a store, kitchen and toilet. It would be sited at right angles to the stable block and its southern side elevation would be almost in line with the northern front elevation of the stables with approximately a metre separation between the corners of the buildings. The store, kitchen and toilet building would screen activity in front of the stables and a proposed belt of native planting would help screen both buildings from the road.

6. Whilst the proposed stable block would be smaller than the building already allowed by the Council, the total footprint of the two proposed buildings would represent an overall increase of approximately 19.8 square metres. This would represent a significant increase in the overall size of the buildings on the site and the area of ground which would be occupied by built development, which in views from outside the site would appear to stretch across more than half the width of the site. It is considered that visually the scale of the proposed development would have a significant effect on the appearance of the site to the detriment of its character and the area generally, contrary to Policies PS2 and GDP1 of the adopted Wrexham Unitary Development Plan (the UDP).
7. Whilst it is accepted that there are other stable blocks in the area and the principle of stables on the appeal site has been established by the extant permission, this does not overcome the concerns identified regarding the effect of the appeal proposal on the character of the area.
8. The relationship of the stable block to the boundary hedge would be the same as that of the building already approved by the Council and for which the groundwork has been carried out. There is no evidence that concerns regarding the effect of the approved scheme on the hedge were raised previously and no reason has been given as to why the Council now considers that the development would have a detrimental effect on the root system and health of the hedge. Whilst it is possible that development in such close proximity to the hedge may affect the roots, it is understood that no excavation additional to that already undertaken as part of the development already permitted would be necessary.
9. On the evidence before me it is therefore concluded that the development would be unlikely to cause harm to the boundary hedge and as a consequence would not be detrimental to the visual amenity or nature conservation interest of the area, in accord with Policies PS11, EC4 and EC6 of the UDP. The Council has also made reference in its reason for refusing permission to Local Guidance Note No. 17 'Trees and Development' and Local Guidance Note No 32 'Biodiversity and Development'. However, the Council has provided no explanation of the relevance of these documents to the appeal and copies of them have not been provided. I have therefore been unable to have regard to them in reaching my decision.
10. Reference has been made by the Council to the size of the site being insufficient to support more than one or two horses and that three stables would therefore be disproportionate to the size of the landholding, whereas it considers that the stable block for which permission has been granted is of sufficient floor area to meet the welfare and stabling needs of the horses to be kept in the paddock. However, both the approved and proposed buildings would provide three stables. The Council's evidence does not explain why it considers the appeal scheme would be unsatisfactory and although reference has been made by other parties to the inadequacy of the landholding to support three horses, the appellant states otherwise. However, in the

absence of any definitive evidence to support these assertions I am unable to reach a reasoned conclusion on this aspect of the case, although I do not consider it to be a determining factor in the appeal.

11. The appellant has indicated that the requirement for the kitchen and toilet facilities and the separation of them and the store from the stables is essential on grounds of health and safety. The appellant also contends that the contribution the development would make to his personal finances and the economic benefits to the local rural economy that would result from it have been overlooked. However, no definitive evidence in respect of these matters has been submitted and therefore little weight can be attributed to them in the determination of the appeal.
12. Although I have concluded that the development would not cause harm to the boundary hedge, this does not carry sufficient weight to overcome the concerns identified regarding the effect of the development on the character of the area. For the reasons given above, and having had regard to all other matters raised, the appeal is therefore dismissed.

Kay Sheffield

Inspector