



Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 11/12/12
Ymweliad â safle a wnaed ar 11/12/12

gan Gareth A. Rennie BSc(Hons) DipTP
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 07/02/13

Appeal Decision

Hearing held on 11/12/12
Site visit made on 11/12/12

by Gareth A. Rennie BSc(Hons) DipTP
an Inspector appointed by the Welsh Ministers
Date: 07/02/13

Appeal Ref: APP/H6955/A/12/2183393

Site address: 6 The Elms, Tallarn Green, nr Malpas, Cheshire, SY14 7HY

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 Miss S Beard against the decision of Wrexham County Borough Council.
 - The application Ref WOR P/2012/0383, dated 29 May 2012, was refused by notice dated 30 July 2012.
 - The development proposed is the erection of a stable block and poultry house.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a stable block at 6 The Elms, Tallarn Green, nr Malpas, Cheshire, SY14 7HY in accordance with the terms of the application, Ref WOR P/2012/0383, dated 29 May 2012, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than five years from the date of this decision.
 - 2) The development hereby permitted shall be constructed entirely of the materials details of which are shown on the submitted plans.
 - 3) The development hereby permitted shall be carried out in strict accordance with Section 7: Implications and Recommendations of the Report on Pond and Habitat Assessment for Protected Species at Land at 6 The Elms, Tallarn Green Near Malpas, produced by EVR Ecology and dated June 2012
 - 4) The building hereby permitted shall not be occupied at any time other than for purposes other than the keeping and riding of horses, or the siting of energy and water supply related equipment, ancillary to the enjoyment and residential use of the dwelling known as 6 The Elms. No part of the land or stables shall be used for any commercial equine or livery purposes

Procedural matter

2. I understand that the poultry house contained within this application has been subsequently approved under a separate permission (ref: P/201/0639) and I have proceeded on that basis.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding area and the Special Landscape Area (SLA).

Reasons

4. Planning permission was granted for a stable on the appeal site in 2011 (ref: P/2011/0348) and this represents a fall back position.
5. In that context, my decision turns on the impact of the proposed development on the character and appearance of the surrounding landscape and whether the current proposal would have a materially different impact than the fall back position.
6. In this case the appellants seek to erect an extended stable block which is larger when compared to the fall back position. This will involve the addition of the equivalent of a further bay about twice the width of a stable loose box already approved, increasing the overall width of the building by about 7 metres. The intention is to use this bay for the installation of a grey water storage and harvesting system for the whole property, together with an inverter for a solar array which would be erected on the stable roof.
7. The appeal site is part of a cluster of houses on the edge of Tallarn Green. Unusually, a good number of these houses have stable blocks within their curtilages or on adjacent land. The proposed block would be in a reasonably prominent position and would extend development somewhat into the adjacent field. Nevertheless, it would be seen in the context of the existing development at The Elms and in particular the existing stable block to its rear.
8. It would be visible from the adjacent road but the road is reasonably well screened by high hedges. Views of the site would be fleeting even in the winter when foliage would have less of a screening effect. Views into the site from the surrounding countryside would be longer range and the proposed stable block would be subsumed on to the surrounding development.
9. I consider that whilst the proposed stable block would be larger than that approved it would have a similar linear form and would be largely seen against the backdrop of the existing development. There would be little overall difference in the impact on the surrounding landscape when compared to the fallback position and I conclude that it would not harm the character and appearance of the surrounding area or SLA as a result. For these reasons I conclude that the proposal does not conflict with policies GDP1 or EC5 of the Wrexham Unitary Development Plan.
10. The siting of the solar panels would do little to change this basic relationship. Moreover, the siting of the proposed inverter, and water harvesting and storage equipment, within the proposed block could prevent the proliferation of other smaller buildings and enclosures, which could increase general clutter on the site.
11. I agree with the Council that it is necessary to impose conditions regulating the use of the building and its external appearance in the interests of visual amenity. In addition, I consider that following the results of the commissioned ecology study a condition is needed in order to implement the recommendations of that report in the interests of nature conservation.

12. Consequently for the reason given above, and having considered all other matters raised, I conclude that the appeal should be approved.

Gareth A. Rennie

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr Stephen Goodwin Appellant's agent

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Phillips Planning Officer

DOCUMENTS

- 1 Letter of notification
- 2 Information Sheet 1 – Small Scale Renewable Energy Generation and Energy Efficiency

PLANS

- A Bundle of application Plans