Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Appeal Decision

by Declan K Beggan BSc (Hons) MSc DipTP DipMan MRTPI an Inspector appointed by the Welsh Ministers

Decision date: 04/09/2026

Appeal reference: CAS-04831-S0Q2H8

Site address: Stables, Gatewen Road, New Broughton, Wrexham

- 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 Gloria Seale-Beglin against the decision of Wrexham County Borough Council.
- The application Ref P/2025/0783, dated 9 October 2025, was refused by notice dated 18 December 2025.
- The development proposed is described as 'erection of dwelling including provision for foul drainage'.
- A site visit was made on 2 June 2026.

Decision

1. The appeal is dismissed.

Application for Costs

2. Both main parties have made applications for costs. These applications are the subject of separate Decisions.

Procedural Matters

3. I note the description of development and the site address vary between that stated on the planning application form and the Council's decision notice. Due to precision/conciseness I have used those details as stated on the Council's decision notice and evidenced by the application/appeal details. Also based on the appeal submissions I have taken the application date to be as that shown on the banner heading above.
4. Whilst on site, it was pointed out to me that the private means of foul drainage had already been installed; this does not alter my assessment of the proposed development.
5. Following a Direction from Welsh Ministers the Council has withdrawn the Wrexham Local Development Plan (LDP). The development plan for Wrexham comprises Future Wales (FW) and the Wrexham Unitary Development Plan 1996-2011(UDP), adopted in 2005. I shall determine this appeal on that basis. The Council has indicated the UDP/national policies with which it considers the proposed development can be considered against. In light of the fact that relevant UDP development management

policies are in general accordance with national policy, I am satisfied that I do not need to go back to the main parties on the issue. The relevant policy and guidance considerations are listed within this decision.

6. I note the Council's fifth reason for refusal relating to foul drainage does not refer to the relevant UDP planning policies that the proposal would run contrary to, however, the relevant section within the officer's report refers to drainage matters being contrary to EC6 (Biodiversity Conservation) of the UDP. Bearing in mind the policy is cited within the body of the officer's report, I am satisfied the omission in the actual refusal notice has not disadvantaged the appellant in anyway.

Main Issues

7. The main issues are:

    - Whether the development is justified in principle bearing in mind planning policies that seek to strictly control development in the countryside;
    - Whether the development is inappropriate development in a green barrier;
    - The effect of the proposed development on highway safety;
    - The effect on biodiversity interests;
    - The effect of the proposed development on the integrity of the River Dee and Bala Lake Special Area of Conservation (SAC); and,
    - Whether there are any other considerations which clearly outweigh any harm to the green barrier, thereby justifying development on the basis of very exceptional circumstances.

Reasons

Development in the Countryside

8. Planning Policy Wales Edition 12 (PPW) highlights the plan led system underpins sustainable development. It also states the countryside, in line with sustainability principles should be conserved and where possible enhanced for its own sake, and that new building in the open countryside that is away from existing settlements or areas allocated for development in development plans must be strictly controlled. The proposed development lies outside of any defined settlement limit and is within open countryside on land allocated as 'green barrier'.

9. Policy PS1 of the UDP is strategic in nature and seeks to direct development for housing to within defined settlement limits. Policy H5 permits new dwellings outside defined settlement limits subject to a number of criteria. Policy GDP1 relates to general development principles such as development according with the character of the site. All three policies broadly accord with PPW.

10. One of the few exceptions to justify a new dwelling in the open countryside is for a rural enterprise worker to live at, or close to their place of work. Based on the submitted evidence, I concur with the Council's assessment that any activities on the site are being carried out in relation to hobby use in connection with equine facilities; such activities would not justify a new dwelling in a rural area. PPW states that all applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need and whether any enterprise is operating as a business and will continue to operate for a reasonable length of time, following the guidance in Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN 6) with regard to the requirements for rural enterprise dwelling appraisals. The appellant has given no meaningful evidence to justify the proposal meets the tests in TAN 6 i.e. functional need to be on the site and the financial test that such need is based on an enterprise that is financially sound/viable.

The reference to providing security on the site does not provide the necessary justification for a new dwelling.

11. The appellant has provided no cogent argument that the proposal would be acceptable or justified for any other reason under local and national planning policy/advice. To permit the proposed development in close proximity to the nearby road, would draw the eye of the observer resulting in a harmful intrusion into the rural character of the area on a site which has an arcadian appearance despite other nearby development; this is not acceptable.

12. I conclude the proposed development has not been justified in principle bearing in mind planning policies that seek to strictly control development in the countryside and would be contrary to policies PS1, H5 and GDP1 of the UDP and advice in TAN 6 as set out in the Council's first reason for refusal, in addition to PPW, which collectively seek in broad terms to control development inside/outside settlement limits and to safeguard visual amenity.

Development in the Green Barrier

13. PPW states 'green wedges' are local designations which essentially have the same purpose as 'green belts' and that they may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area; similarly green barriers provide the same role and purpose. PPW confirms that within green wedges, inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations would clearly outweigh the harm.

14. The site lies within a green barrier as designated in the UDP. Policy EC1 of the UDP refers to development in green barriers only being granted planning permission if the proposal is for agriculture, forestry, outdoor sport and recreation, cemeteries and other uses which maintain its openness and do not conflict with the purpose of including land within it. I appreciate the UDP is time expired, nonetheless, it forms part of the development plan having regard to Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states that 'planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise. As it stands, the fact is the site is within a designated green barrier as referred to in policy EC1; this policy broadly reflects and is consistent with the most upto date national planning policy espoused in PPW.

15. It is also worth noting that PPW advises that 'green wedges' should be reviewed as part of the development plan review process. The UDP green barriers were reviewed in the 'Strategic Green Wedge Review (GWR) in October 2017, as part of the process of preparing the unadopted LDP. Informed by the findings of the GWR, the appeal site also lies within a green wedge designation in the unadopted LDP, one of whose purposes was to act as a buffer between settlements to prevent coalescence in areas under pressure for development. The LDP was subject to public examination and found to be sound by Inspectors whose findings were that such boundaries were consistent with national policy; in the absence of any evidence to the contrary, and in light of national planning policy, I give the evidenced and tested need for green barriers/wedges considerable weight.

16. The appellant has provided no substantive evidence that the proposed development falls into any of the specific categories of development deemed not to be inappropriate in the green barrier/wedge as per PPW and policy EC1 of the UDP. As previously mentioned, the appellant has advanced no exceptional circumstances to justify a dwelling on the appeal site such as a rural enterprise dwelling e.g. the submitted evidence indicates that

any activities on the site are being carried out in relation to hobby use in connection with equine facilities.

17. As the proposed development does not fall into any of the specific categories of development deemed not to be inappropriate development as per local and national planning policy, it must therefore be inappropriate development in the green barrier. The site would be subject to build development, which would unavoidably and significantly reduce its openness running contrary to local and national planning policy.

18. Some of the purposes of green barrier/wedges according to PPW and policy EC1 of the UDP are to prevent coalescence of urban areas and villages with other settlements and to protect the setting of urban areas and villages. In this case the green barrier appears to serve to prevent the coalescence of Wrexham with the settlements of Caego/Broughton. The development of the site outside of any recognised settlement limit, would result in the distinction between the adjacent settlements being eroded, and it does not appear to be a logical extension due to its separation from both, and the geography of the area. The proposal would therefore run contrary to national and local planning policies that seek to prevent the coalescence of settlements and as a result represents unnecessary and undesirable encroachment into the countryside thereby conflicting with one of the purposes of including land within the green barrier/wedge designation. The development therefore amounts inappropriate development on this basis as well as it does not maintain its openness and conflicts with the purpose of the designation.

19. Pulling the threads of the above together, I find that the development proposed is inappropriate development in a green barrier because it does not maintain openness and conflicts with the purposes of the designation and therefore runs contrary policy EC1 as set out in the Council's second reason for refusal and national planning policy within PPW.

Highway Safety

20. The Council's third reason for refusal refers to insufficient detail submitted with the application in respect of vehicle movements and that it has not been demonstrated that appropriate visibility splays can be provided at the site. The proposal would utilise the existing agricultural access onto the classified Berse road which also allows access to the existing stables on the site. The speed limit at the site access is 40 mph and as such visibility splays of 2.4 m by 120 m in both directions are required with no obstruction greater than 600 mm for pedestrian visibility. As I witnessed on my site visit, the road is busy with a steady flow of traffic which appeared to be moving upto the speeds permitted.

21. Bearing in mind the potential for a mixed use on the site and therefore its intensification, I consider a proportionate assessment of vehicle movements as detailed by the Council is not unreasonable, however no such information has been provided with the appeal documentation; this is not acceptable in terms of highway safety bearing in mind the potential relatively high speeds on the adjacent road.

22. In terms of visibility, whilst I appreciate that the access is used for agricultural/equine purposes, nonetheless, the proposal would likely result in a significant intensification of the access with the comings/goings associated with a dwelling and as such I consider it reasonable that details indicating the required splays can be achieved prior to any decision being made should have been provided, because it was not entirely clear to me on my site visit that the required splays could be achieved, or whether the splays can be achieved on land within the control of the appellant/highway authority.

23. In the absence of accurately detailed drawings confirming the splays can be achieved as per the requirements of the Council, and further information related to vehicle movements, appellant has failed to demonstrate that the proposed access would not be detrimental to highway safety which runs contrary to policy GDP1 of the UDP.

Biodiversity interests

24. The Council's fourth reason for refusal refers to the submitted details lacking a Green Infrastructure Statement (GIS) or measures to deliver a net benefit to biodiversity. PPW states that a GIS should be submitted with all planning applications as it can be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question.

25. The appellant did submit an ecological assessment (EA) with the application, however despite that assessment recommending the submission of a GIS, none was forthcoming. Nonetheless, the EA did highlight the site's lack of impact on any notable habitats or protected species, and I note the Council have not indicated otherwise. The EA refers to a number of potential enhancements in biodiversity, such as bird/bat boxes, provision of log piles for amphibians and planting of fruit trees and grasses for badgers.

26. Notwithstanding the lack of a GIS, I am mindful that PPW states such statements should be proportionate to the scale and nature of the development proposed and should describe how green infrastructure would be incorporated into the proposal. I am satisfied based on the EA, that on balance, biodiversity interests would be safeguarded and that a net benefit in biodiversity could, had the appeal been allowed, been addressed via the standard condition as detailed in the appeal questionnaire thereby according with policy 9 of Future Wales and being in broad alignment with PPW.

River Dee and Bala Special Area of Conservation

27. The appeal site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). Based on the submitted details, the proposed foul water drainage arrangements involve a private sewerage treatment system. Natural Resources Wales (NRW) highlight in their response to the proposal that the development has the potential to increase the amount of nutrients being discharged from the site into the SAC which is a nutrient sensitive river. NRW advised that further information be sought from the appellant including: clear scale plans showing the location of the proposed private sewage treatment system and discharge location; and, where discharges to ground are proposed, the appellant should provide the results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard.

28. The details submitted with the application where rudimentary and generic in nature and provided little detail in terms of foul sewage provision. The appellant alludes to the scale of development not making any difference to the overall impact on the SAC bearing in mind other developments locally, however, in the absence of such details, I cannot reasonably conclude that the proposed drainage arrangements would not be harmful to the nutrient sensitive SAC and its integrity via incremental change. I must therefore conclude that the proposed development would detrimentally affect the integrity of the SAC contrary to the objectives of Policy EC6 of the UDP and PPW, which seek, amongst other things, protection of designated sites.

Other Considerations

29. PPW states that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm to a green barrier/wedge designation. The appellant has provided no compelling case that any exceptional circumstances exist. The appellant refers to a need to house her family and infers a housing shortage in the wider area, however a lack of any supporting substantive evidence in this regard carries no weight in my consideration of

matters and therefore would not outweigh the significant conflict with local and national planning policy and advice.

30. I find that any other considerations in this case clearly do not outweigh the harm that I have identified. Consequently, the very exceptional circumstances necessary to justify the development do not exist.

Other Matters

31. In support of her case regarding highway safety, the appellant has referred to the lack of highway objection in a previously refused application and the lack of objection in such matters from third parties. The appellant also referred to the economic benefits that may accrue from living on site and developing the field adjacent to the site, this or any other matters raised would not outweigh the significant conflict with local and national planning policy and advice.

32. I note the appellant's concerns regarding the Council's handling of the planning application; however, this does not alter my assessment of the planning merits of the proposal.

Overall balancing and Conclusions

33. Setting aside the stance I took in regard to biodiversity interests, the proposed development runs contrary to local and national planning policies/advice, and the appellant has provided no substantive or compelling arguments to indicate otherwise. I must therefore, for the reasons set out above, and having regard to all matters raised, conclude that the appeal be dismissed.

34. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

Declan K Beggan

INSPECTOR