

HOUSEHOLDER APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, contact us on 0300 123 1590.

Visit our website for guidance on completing this form.

Ensure you are using the correct form for the type of appeal you are submitting.

WARNING: Your appeal must reach Planning and Environment Decisions Wales within **12 weeks** from the date of the Local Planning Authority’s decision notice. (**NOTE:** If any of the “Essential supporting documents” listed in Section F are not received by us within the 12 week period, the appeal will not be accepted.)

IF YOU ARE NOT COMPLETING ELECTRONICALLY, PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT – The name of the person(s) making the appeal **must** appear as an applicant on the planning application form. **If this is not the case the appeal may not be registered.**

Name / Organisation Name (if applicable)	Mr & Mrs Thomas 42 Trevalyn Way Rossett Wrexham LL14 8PF
--	--

B. AGENT (if any) FOR THE APPEAL

Name / Organisation Name (if applicable)	N/A
--	-----

C. LOCAL PLANNING AUTHORITY (LPA)

Name of the LPA	WREXHAM
LPA’s application reference number	P/2024/0209
Planning Application form dated	15th March 2024
Date of LPA’s Decision notice	21st June 2024

D. APPEAL SITE ADDRESS

Address	42 Trevalyn Way Rossett Wrexham
Postcode	LL120EJ

Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? *If 'YES' explain in your full statement of case (section G).	YES* ☐	NO ☒
Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?	YES ☒	NO ☐
Is it essential for the Inspector to enter the site to check measurements or other relevant facts? *If 'YES' explain below. Do not include personal or financial information.	YES* ☐	NO ☒

NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or relevant facts.

The site can be viewed from both Trevalyn Way and West Way. In the event that the Inspector would wish to enter the garden of this house to view the partial garage location, the side gate to gain access thereto will be left unlocked on the date the Inspector plans to visit the site.

E. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme. Enclose a copy of the LPA’s agreement to the change. Do not include personal or financial information.

The application is for CONVERSION OF EXISTING GARAGE AND ERECTION OF DETACHED GARAGE

The proposed Development provides only for a replacement garage and the creation of an additional parking space. The Garage would be sited close to the bedroom conversion which has been approved under an extant planning consent Ref P/2023/0753 dated 9th January 2024 and would be located inside the amended footprint of the garden boundary wall as approved under P/2023/0753.

	YES	NO
Has the description of the development changed from that entered on the application form?	☐	☒
	YES	NO
Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?	☐	☒

F. OTHER APPEALS

Have there been any other appeals decided or are being currently considered on this site or nearby sites?

YES*
☐

NO
☒

*If 'YES', explain below.

G. FULL STATEMENT OF CASE

This is your **only** opportunity to make your case in connection with the refusal of planning permission for the proposed development. Therefore provide your **FULL** statement of case. Alternatively you can submit your statement of case as a separate document alongside other documents supporting your appeal. To do this, you need to go through the reasons for the decision and explain why you disagree and/or why you think the appeal should be allowed. Only the reasons within the LPA’s decision and the matters they considered at application stage should be included. You should not introduce any new matters that were not before the LPA during the application. Refer to the guidance on our website for further information. *Continue on a separate sheet if necessary.*

FULL STATEMENT OF CASE

1. Appendices: The PEDW Householder Appeal Form at its Section J requires a copy of Essential Supporting Documents; these can be listed as follows, together with the additional documents referred to in this Full Statement of Case:

Appendix 1: P/2024/0209 Appeal Planning Application Drawing TO34/11; March 2024

Appendix 2: P/2024/0209 Green Infrastructure Statement

Appendix 3: P/2024/0209 Decision Notice to Refuse 21/6/2024

Appendix 4: P/2023/0753 Cancelled Drawing TO34/03; September 2023

Appendix 5: P/2023/0753 Highway Comments on Cancelled Drawing 4/12/23

Appendix 6: P/2023/0753 Approved Drawing TO34/05; December 2023

Appendix 7: P/2023/0753 Decision Notice to Approve 9/1/2024

Appendix 8: P/2023/0753 Highway Comments on Approved Drawing 19/12/23

Appendix 9: Neighbourhood Impact Assessment

Appendix 10: Superimposed Appeal Garage on extant P/2023/0753 Plan

Appendix 11: Street Scenes 1 - Trevalyn Way & West Way

Appendix 12: Street Scenes 2 - OS & Estate Views

2. The Reasons for Refusal: The Decision Notice is attached at Appendix 3, but for ease of reference it states that the Conversion of Existing Garage and Erection of Detached Garage at 42 Trevalyn Way, Rossett is refused, and that in reaching this decision the Council has had regard to the following relevant policies: TAN 12: Design; Wrexham Local Development Plan [LDP] 2013 – 2028 policies DM1, SP12, SP2, and T1. Reason(s): “ 1. The development, by virtue of its inappropriate siting and scale within a largely open and prominent corner plot, would cause a negative impact upon the character of the host street scene and would form an incongruous design feature within the street scene, harming the visual amenities of the area. The development is thus contrary to the requirements of Policies DM1 and SP12 of the adopted Wrexham LDP, TAN 12 (Design) and Wrexham Local Planning Guidance Note 20. ”

3. Addressing the Reasons for Refusal: This Statement of Case will address each of the policies referred to in the Reasons for Refusal, but will first address what is respectfully averred to be the key issue: the Fallback position provided by the approval of P/2023/0753.

THE FALLBACK POSITION

4. The Fallback Position: The appellants aver that their architect designed scheme will not have adverse amenity consequences for their neighbourhood were their scheme to be allowed on appeal, in this they are supported by the local residents who expressed their views in Appendix 9. However, following the thrust of PEDW ’ s “ The Approach to Decision Making ” Version 2.1, October 2022, the appellants wish to emphasise the precedent set by the Council ’ s approval of P/2023/0753.

5. P/2023/0753 was approved on 9/1/24 (Appendix 7), and from the approved drawing in Appendix 6 it

H. APPLICATION FOR AN AWARD OF COSTS (see guidance for further information)

Does the appeal include an application for costs?

YES*

NO

☐☒

*If ‘**YES**’, you must submit a statement below that clearly explains why you think unreasonable behaviour has occurred and how this has caused unnecessary or wasted expense.

Continue on a separate sheet if necessary.

I. APPEAL SITE OWNERSHIP CERTIFICATES (PART 1)

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.

YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.

Read the guidance on our website.

Tick ONE box only

CERTIFICATE A (If you are the sole owner of the whole appeal site, certificate A will apply)

☒

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see the Guidance on our website) of any part of the land to which the appeal relates.

OR

CERTIFICATE B

☐

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see the Guidance on our website) of any part of the land to which the appeal relates, as listed below:

Owner’s Name	Date the notice was served

You must supply owner’s address(es) on personal details page 11.

CERTIFICATES C and D

☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D at Annexe 1 of our guidance and attach it to the appeal form.

I. APPEAL SITE OWNERSHIP DETAILS (Part 2) – AGRICULTURAL HOLDINGS CERTIFICATE
(this must be completed for all appeals)

We also need to know if the appeal site forms part of an agricultural holding.

Tick ONE box only

- a.

None of the land to which the appeal relates is, or is part of, an agricultural holding.

☒
- b(i).

The appeal site is, or is part of an agricultural holding, and the appellant is the sole agricultural tenant.

☐
- b(ii).

The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

☐

Tenant’s Name	Date the notice was served

You must supply tenant’s address(es) on personal details page 11.

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1-5 below must be sent with your appeal form. If we do not receive all your appeal documents by the end of the 12 week appeal period, we will not deal with your appeal.

Tick the boxes to show which documents you are enclosing

1.

A copy of the original planning application sent to the LPA.

☒
2.

Additional plans, drawings or documents relating to the application but not previously seen by the LPA. (Please note appellants cannot vary an application from that considered by the Local Planning Authority, other than the correction of drawing or drafting errors which do not affect the substance of the application). Number them clearly and list the numbers below: Do not include personal or financial information.

☒

The following Appendices are to be read in conjunction with Section G Full Staement of Case:-
Appendix 1: P/2024/0209 Appeal Planning Application Drawing TO34/11; March 2024
Appendix 2: P/2024/0209 Green Infrastructure Statement
Appendix 3: P/2024/0209 Decision Notice to Refuse 21/6/2024

3.

A copy of the **LPA’s decision notice**.

☒
4.

A copy of the **Green Infrastructure Statement** (if required).

☒
5.

A copy of the **LPA’s report** accompanying the decision.

☐

APPLICATION DECLARATION

I confirm that I have sent to the LPA a copy of the appeal form, full statement of case, and any supporting documents not previously sent as part of the application (if you do not your Appeal will not normally be accepted).

I confirm that all sections have been fully completed to the best of my knowledge.

I understand that you may use the information I have given for official purposes in connection with the Town and Country Planning Act 1990 and details including my name, the site description and my statement of case may appear online. By submitting this form I am agreeing to the use of the information I provide in this way.

Name (in capitals)	LINDA THOMAS & EDWARD ARTHUR TTHOMAS
On behalf of (if applicable)	Linda Thomas & Edward Arthur Thomas
Date	16th August 2024

SEND

1 COPY to us at:

Email: PEDW.Casework@gov.wales
PEDW.GwaithAchos@llyw.cymru

OR

Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

Helpline: 0300 123 1590

1 COPY to the LPA:

Send a copy of the appeal form and full statement of case to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

There is no need to send them all the supporting documents again; only send them any supporting documents not previously sent as part of the application.

Keep a copy for your records.

When we receive your appeal form, we will write to you letting you know what happens next.

Any enquiries regarding this document/publication should be sent to us at the address above or e-mail: PEDW.Casework@gov.wales / PEDW.GwaithAchos@llyw.cymru