



Appeal Decision

by C MacFarlane BSc(Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 11/11/2024

Appeal reference: CAS-03680-V5L5T7

Site address: 42 Trevalyn Way, Rossett, Wrexham LL12 0EJ

- 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 & Mrs Thomas against the decision of Wrexham County Borough Council.
 - The application Ref P/2024/0209, dated 15 March 2024, was refused by notice dated 21 June 2024.
 - The development proposed is garage conversion and new detached garage.
 - A site visit was made on 5 November 2024.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site consists of a detached two-storey dwelling with garden and external amenity areas, located on a corner plot at the junction of Trevalyn Way and West Way. The surrounding area is residential and mainly comprises two-storey detached dwellings set back from the highway, with parking provision to the front. The majority of dwellings within the street scene along Trevalyn Way feature single-storey projections to their front elevations, which provides a consistency of built form that is characteristic of the immediate area. The corner position of the site provides openness in an otherwise built-up area, and reflects the set-back siting of nearby dwellings, particularly when viewed alongside the open area around the dwelling on the opposing corner plot.
4. The Council raises no objection to the proposed garage conversion and, given the footprint and scale of the existing building would remain unaltered, I concur. However, the siting of the proposed detached garage substantially forward of the main elevation of the dwelling and close to the boundary with the adjoining footway would significantly interrupt the existing pattern of development. Given its prominent corner position, where the garage would be readily visible, the proposal would appear incongruous in the street

scene. The siting of the garage, along with its height and width would also result in an increased mass of built form with a consequential loss of openness. The overall effect would be a cramped form of development that appears visually discordant in its surroundings.

5. I note the lack of neighbour objection referred to by the appellant, however, a lack of objection does not confer acceptability, nor would it overcome the harm arising from the siting and scale of the detached garage. Similarly, acceptability in relation to parking requirements and highway safety are normal expectations of any development, and are therefore a neutral factor in my assessment of the scheme.
6. I acknowledge the extant permission relating to the site, and the alternative works not requiring permission as referred to by the appellant. However, I consider the appeal scheme would result in greater harm due to the increased height and scale of the proposed garage, which would appear as a single larger structure when compared to the permitted wall and shed, thereby increasing the mass of built development and eroding further the openness around the junction. As such, I do not consider the existence of these fallback scenarios justify a grant of planning permission in this instance.
7. I therefore conclude that the proposed development would cause significant harm to the character and appearance of the surrounding area and would fail to comply with Policy DM1 of the Wrexham Local Development Plan (LDP), which requires development proposals to accord with, or enhance, the character, local distinctiveness and appearance of the site, existing building(s) and surrounding townscape. It would also run counter to LDP Policy SP12, which specifically refers to all development, and that this should be of a high quality, sustainable design that contributes positively to locally distinctive places.

Conclusion

8. For the reasons given above, the appeal is dismissed.
9. In reaching my decision, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

Claire MacFarlane

INSPECTOR