

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 9 MAY 2023

APPLICATION NO:
P/2023 /0091

LOCATION:
18 YORKE STREET WREXHAM
LL13 8LW

DATE RECEIVED:
18/10/2022

COMMUNITY:
Caia Park

DESCRIPTION:
CAEL GWARED A SIMNEIAU (OL
WIETHREDOL) / REMOVAL OF
CHIMNEYS (IN RETROSPECT)

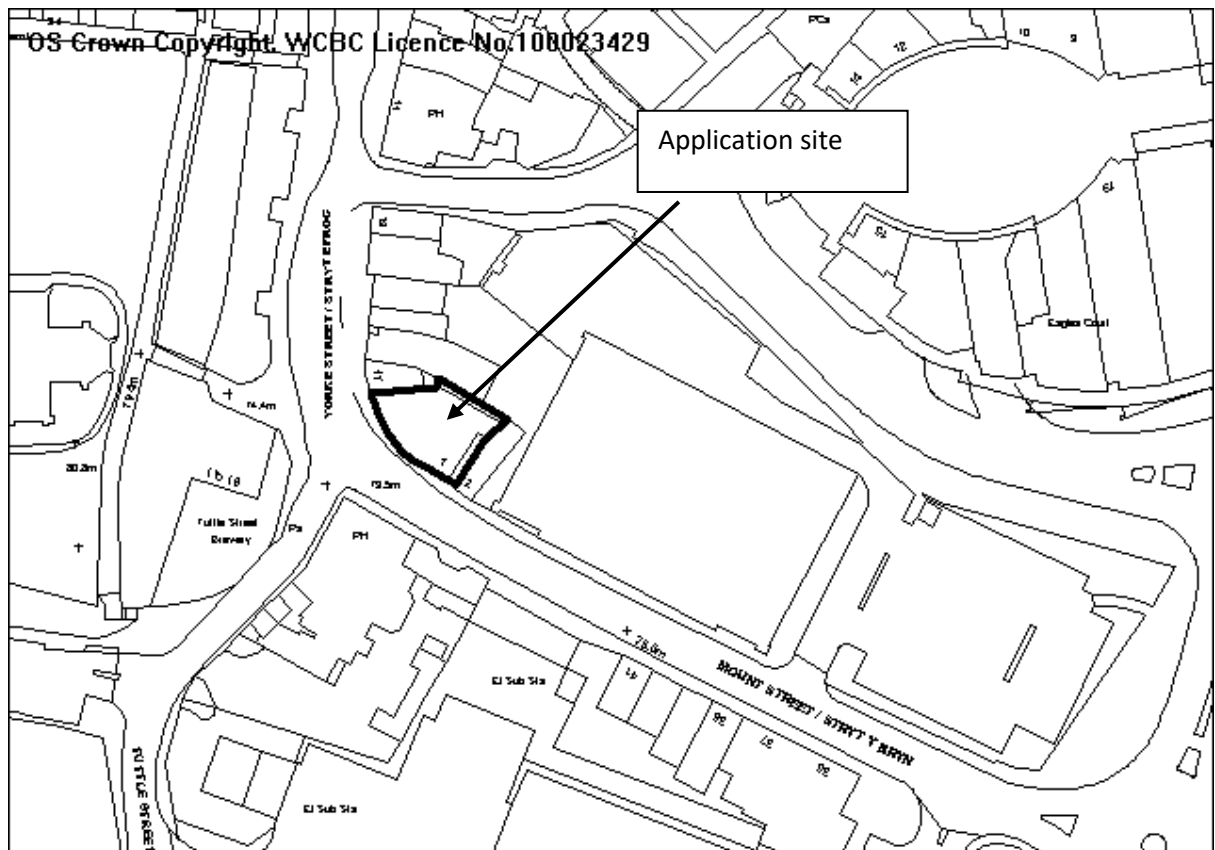
CASE OFFICER:
LP1

WARD:
Smithfield

APPLICANT(S) NAME:
MRS A LEWIS

AGENT NAME:
D S JONES & CO
MR STEVE JONES

THE SITE



PROPOSAL

As above.

HISTORY

P/2022/0504 CAEL GWARED A SIMNEIAU H (OL-WEITHREDOL) /
REMOVAL OF CHIMNEYS (IN RETROSPECT). Refused
12.7.2022

DEVELOPMENT PLAN

Within the settlement limit, city centre and Wrexham Town Centre Conservation Area.

UDP policies GPD1 and EC7 are relevant.

LDP policies SP16 and DM1 apply.

CONSULTATIONS

Community Council

Consulted. No comments received.

Local Member

Requests the application be reported to committee

Chair of Planning

Agreed to local member's request.

Press Notice

Expired 12.4.2023

Site Notice

Expired 6.4.2023

Neighbours

The owners/occupiers of 5 nearby properties notified. No representations received.

SPECIAL CONSIDERATIONS

Background: The building previously had 4 chimneys. The photographs below show the building before and after the works took place:



The property is a restaurant with offices above that lies on Yorke Street within Wrexham Town Centre Conservation Area. During storms in early 2022 part of one of the chimney stacks was damaged. Building Control subsequently issued a Dangerous Structures Notice as parts of the chimney were falling off onto the street below.

The Notice required the one chimney to be repaired and any loose material removed so that it was no longer dangerous but did not require the chimney to be removed. The Notice did not require any works to be undertaken to the other 3 chimneys. However, Building Control acknowledge that it would have

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been difficult and potentially impractical to repair the dangerous chimney. Whilst the applicant has suggested that at least one other chimney was in poor condition, no evidence has been submitted regarding the condition of any of the other chimneys.

The removal of chimneys from a non-residential property are works that materially alter the appearance of the building and therefore constitute development as defined by Section 55 of the Town and Country Planning Act 1990. Non-residential properties do not benefit from any permitted development rights to undertake such works. The applicant has therefore applied for planning permission retrospectively to regularise the works. This is the second time the applicant has sought planning permission, permission having previously been refused in July (reference P/2022/0504) for the following reason:

The loss of the chimneys from the property which is listed as a building of visual interest in the Wrexham town Centre Conservation Area Assessment and Management Plan fails to preserve or enhance the character of the Conservation Area and is contrary to Policy EC7 of the Wrexham Unitary Development Plan.

Design Considerations: The UDP and LDP policies require alterations to buildings to accord or enhance its character and also to preserve and enhance conservation areas.

The Wrexham Town Centre Conservation Area and Management Plan identifies 18 Yorke Street as a building of visual interest. The buildings adjoining the property are also identified as buildings of visual interest as are all of the buildings on the east side of the Yorke Street up to Wynnstay Hotel. The latter is identified as a landmark building.

The Town Centre Conservation Area and Management Plan identifies chimney stacks as important features of the roof-scape and advises that they must be retained, even if no longer required. All of the buildings referred to above have chimneystacks, indeed this is a feature that is integral to the character of Yorke Street and the wider conservation area.

Whilst 18 Yorke Street is an unusual building presenting a curved frontage to the street, with curving roof above, the work undertaken has removed features that were integral to the character of the building and to the roof scape of the street and wider conservation area, to the detriment of both.

CONCLUSION

The works have therefore adversely affected the character of the building and the conservation area thus conflicting with UDP policies GPD1 and EC7 and LDP policies SP16 and DM1.

RECOMMENDATION A: That permission be REFUSED

REASON(S)

1. The removal of the removal of the chimneys adversely affects the character of the building and the Wrexham Town Centre Conservation Area, thus conflicting with policies GDP1 and EC7 of the Wrexham Unitary Development Plan and policies SP16 and DM1 of the Wrexham Local Development Plan.

RECOMMENDATION B:

That the Chief Officer Economy and Planning be authorised to serve a Planning Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 to require the re-instatement of 4 no. chimneystacks, with delegated authority granted to determine the final form and content of the Notice.

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