

CONSULTATION RESPONSES	Supports	Objects	No objection or no comments	Comments	No reply
Community Council		✓			
Local member(s)		✓			
Highways				✓	
Public Protection				✓	
Natural Resources Wales				✓	
Welsh Water				✓	
Contaminated land			✓		
Neighbours		✓			

RELEVANT HISTORY	P/2020/0890 Dwelling refused appeal dismissed
------------------	---

PLANNING POLICY/CONSTRAINTS	YES	ACCEPTABLE	NOT ACCEPTABLE
Outside settlement			
Inside settlement	✓	✓	
Conservation Area			
Listed Building/ setting			
Green Barrier			
Special Landscape Area			
Flood Risk			
Within Buffer Zone or affecting SAC*	✓	✓	
World Heritage Site			
AONB			
Other			

LOCAL PLANNING GUIDANCE	ACCEPTABLE	NOT ACCEPTABLE
16 Parking	✓	
17 trees	✓	
21 space around dwellings		✓
30 design		✓
32 biodiversity		✓

KEY ISSUES	Acceptable	Not Acceptable	Observations below	N/A
Residential Amenity		✓		
Design		✓		
Highway safety	✓			
Parking	✓			
Conservation/LB				✓
Ecology		✓		
Trees	✓			
Drainage		✓		

OBSERVATIONS:

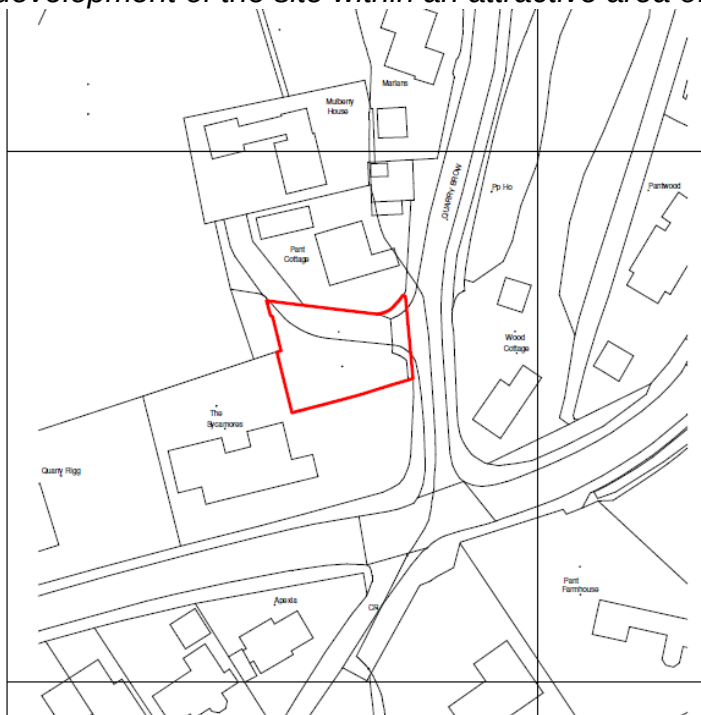
Enquiry response:

The site is within the settlement limits for Gresford/ Marford as set out in the Wrexham Unitary Development Plan. It falls within the buffer zone for the Marford Quarry Site of Special Scientific Interest.

The principle of residential development on suitable sites within settlement limits is general supported under policies PS1 GDP1 and H2. However these policies refer to safeguarding low density housing areas and require that all development should accord with the character of the site and should make a positive contribution to the nearby locality.

This site is constrained in size and shape and is close to an existing bungalow. It would be sited in front of Pant House on land used as front garden and parking, and adjoins an access to the new dwelling to the north. The sketch design shows windows confined mainly to front and rear, but the rear window and roof terrace would overlook the bungalow to the south-west. The style of dwelling does not appear to be in-keeping with the existing dwellings and would appear cramped and out of character with the area.

It is considered that a dwelling on this restricted site would not comply with the above policies. Whilst it may be possible to achieve compliance with the minimum standards of local planning guidance note 21 regarding space between dwellings and amenity space, this would require constrained design of windows and there would still be an adverse impact on existing dwellings. The design of the development on a restricted site would not comply with LPGN 30 (particularly the checklist on page 9) regarding the relationship of the development to the road and its surroundings. Therefore it is considered that the proposal would be regarded as an over-development of the site within an attractive area of low-density housing.



Inspector's Conclusions

UDP Policy GDP1 also seeks to safeguard the amenity of the public. In terms of the relationship with surrounding properties, in particular Wood Cottage, Pant Cottage and The Sycamores, there is little dispute that the proposed window to window distances are below the standards expected in LPGN 21 which aims to ensure that residents enjoy a reasonable degree of privacy in and around their homes. I note that the design objectives of the proposal have sought to overcome these constraints and I have taken into account the particular circumstances of the appeal site, and of its surroundings. Wood Cottage lies on the opposite side of Quarry Bank but within close proximity to the proposed

house which would have first floor bedroom windows facing towards it, albeit at an angle. The proposed dwelling also faces more directly towards the principal frontage of Pant Cottage and would contain a first floor living room window on this elevation. I observed that the rear elevation of Wood Cottage and the front curtilage of Pant Cottage are visible to passers-by and drivers. However such views would be cursory, and fleeting in the case of drivers concentrating on the road whereas the first floor windows would be elevated and fixed allowing for more commanding and invasive views. The appellant is agreeable to partial or full obscure glazing but given the proximities, this would not remove the perception of being overlooked for the occupants concerned. It would also result in an austere appearance to the proposed dwelling which would be dominated by obscure glazing on the prominent roadside elevations.

At its closest, the proposed roof terrace would be within approximately 2 metres of the boundary with The Sycamores. Although it would be enclosed by a 1.8m obscure glazed screen, it would be an elevated and visually dominant feature. Its function as an outside roof terrace would be readily apparent to the occupiers of The Sycamores resulting in a significant perception of loss of privacy. Moreover, given its scale and location off a principal living area, the terrace would be likely to be used frequently especially during the summer months. Owing to the proximities, I consider that noise emanating from the terrace would be audible to the neighbouring occupiers, which might not amount to harm in itself, but would exacerbate the intrusiveness of the development.

Taking all of the above into consideration, I conclude that the proposal would be harmful to the character and appearance of the area and the living conditions of neighbouring occupiers. It would therefore conflict with Policies H2 and GDP1 of the UDP and the objectives of LPGN 21 and 30.

Current proposal



The application includes detailed responses to these points, and the dwelling has been designed to minimise overlooking. However the proposal remains a two storey dwelling on a site of 261m². The proposal is considered to be out of character with the adjoining development and would detract from residential amenity in terms of overlooking and over-dominance.

The proposal would increase the number of dwellings served by a private drive but there have been no objections from the highway authority.

Issues of parking, trees, ecology, drainage and landscaping could be addressed if permission is to be granted.

Permission cannot be granted at this time due to the phosphate issue as per the advice of NRW. The applicant has supplied correspondence with Welsh Water but this does not avoid the need for an appropriate assessment if permission were to be recommended.

The proposal as submitted does not comply with adopted policies and guidance for residential development.

RECOMMENDATION	
GRANT	
REFUSE	✓
S106	