
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 22 Hydref 2022

gan **Nia Jones BA (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 11/11/2022

Appeal Decision

Site visit made on 24 October 2022

by **Nia Jones BA (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 11/11/2022

Appeal Ref: CAS-02007-Y7W1K1

Site address: 24 Winchester Way, Gresford, Wrexham, LL12 8HG

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Paul Ashfield against the decision of Wrexham County Borough Council.
 - The development is described as 'proposed timber pent style shed. Outside of permitted development due to siting in retrospect'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The shed was in situ at the time of my visit, and I have therefore considered the appeal on the basis it seeks retrospective planning permission.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. This part of Winchester Way is a straight residential street with wide pavements either side onto which front bungalows set behind mainly open or low boundaries. The appeal property occupies a prominent corner plot, on the junction with Greenway View. The shed is located forward of a side extension and the original façade of the bungalow, within about a metre of the pavement on Winchester Way.
5. Due to the screening effect of the property's side extension, the shed is not visible from Greenway View until the junction is reached. However, being located on a conspicuous

corner, the development is particularly pronounced along Winchester Way and forms an incongruous enclosing feature at odds with the spacious nature of its immediate situation. Its siting close to the pavement also creates an unattractive focal point in the approach from the west. Viewed from the east, the lower part of the shed is largely screened by the existing timber fence which I saw itself projects outwards towards the pavement, interrupting the openness of the estate. Nevertheless, the building rises up above the fence, forward of the dwelling, exacerbating the enclosing effect of that structure. In addition, the angled eaves of its mono-pitched form cuts across the regular horizontal eaves line of the front of the dwelling, with the expanse of its sloping roof adding to its incongruity in this view. In these circumstances, I do not consider that an alternative colour finish would overcome the visual harm.

6. I note the appellant's intention to allow the boundary hedge to grow. However, there is no certainty that the hedge would be maintained for the lifetime of the development especially if the property were to change hands. Moreover, the need for a substantial enclosing hedgerow to hide the harmful effects of the development does not seem to me to be a good reason for allowing poorly sited and unsatisfactory development.
7. I conclude that the development harms the character and appearance of the area and so conflicts with Policy GDP1 of the Wrexham Unitary Development Plan (UDP) which, amongst other things, seeks to ensure that all new development makes a positive contribution to the appearance of the nearby locality. It also fails to comply with UDP Policy PS2 which states that development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

Other Matters

8. Residents refer to a restrictive covenant governing the erection of structures on the estate, but any such restrictions are not matters for this appeal. Whilst concerns are expressed about the development setting a precedent for similar schemes, each proposal must be considered on its individual merits.

Conclusion

9. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.
10. 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 this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

Nia Jones

Inspector