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APPEAL STATEMENT

SITE: 3 The Gardens, Holt, Wrexham, LL13 9JW

APPEAL AGAINST REFUSAL OF: Outbuilding, Front Porch, Wall, Boundary Fence And Pergola
(In Retrospect)

LOCAL AUTHORITY: Wrexham County Borough Council

PLANNING APPLICATION NUMBER: P/2020/0870

APPELLANT: Olga Greyling

Introduction

This appeal is against the refusal of planning permission for the erection of an outbuilding, front porch, boundary fence and pergola at the above property in Wrexham.

The property is an end of terrace dwelling within a residential area of Wrexham. The other dwellings in the terrace face out onto The Gardens whereas the appeal property faces out towards Church Street.

The orientation of the property means that it does not benefit from a rear garden with all the residential amenity land being to the side and front of the property. The appellant owns a dog and has a young granddaughter, and it is vital that they have a safe space outside to play. The new fence provides both security and privacy for this dwelling.

Whilst the appeal site is an end of terrace dwelling it does not share any features with the other properties in this terrace and acts more like a 'book-end' to the terrace. The case officer has confirmed that *"as its principal elevation is perpendicular to the houses fronting the Church Green, this property does not form part of a uniform street scene and therefore the development is not considered to result in a loss of symmetry to the terrace"*

The Local Authority was minded to approve the application and confirmed within the assessment that none of the works proposed/undertaken had a detrimental impact upon the character and appearance of the conservation area or on the amenities of the local residents. Therefore, it preserved or enhanced the conservation area.

The application was called to committee as the Community Council did not want it to be approved and the committee went against the officer recommendation and refused the application.

The main objections from the Community Council were the perceived detrimental impact on the character and appearance of the area and its impact on the Conservation Area which is a subjective opinion as demonstrated in the fact that the professional Planning Officer does not share this view. Concerns were also raised by the Community Council in relation to the use of the outbuilding as a home office and its potential to create more traffic. This is an objection based on supposition and should not be considered as part of the determination of the application. The appellant needs the space to provide an office to allow them to work from home which is becoming more and more usual since the Covid 19 pandemic hit in 2020 with many businesses now adopting this way of working going forward and indeed The Welsh as well as UK Government promoted working from home wherever possible. The only people/persons utilising this space will be the occupants of the dwelling and therefore no additional traffic will be created so this objection is mute. Finally, the Community Council has objected that the works have been undertaken without first gaining planning permission. Again, this is not a relevant planning objection. The appellant is now applying to get the necessary permission and should not be penalised for undertaking the work prior to this.

As is evident from the objections above, one of them has been demonstrated as being a purely subjective opinion as the case officer does not share the view and the other two are not valid planning objections. Therefore, none of these should form the basis of a refusal.

The porch extension is wholly appropriate in this setting and is a feature you would expect to see on the front of a dwelling. It has been built in matching brickwork and of a size that appears subservient to the main dwelling. Whilst it is understood that this has not been built within the realms of Permitted Development it is important to note that if it were a mere 22cm lower and 2 square foot smaller, it would be PD. The difference between that which is considered Permitted Development and that which has been built is not significant enough to be determined to have such an adverse impact on the character and appearance of the area as to warrant a refusal.

The pergola has been constructed over an existing patio area and is again a common feature of a residential garden. With the property not having a rear garden there is no other position for this to be sited in and it has been built in a material that complements the host dwelling and does not impact upon the character and appearance of the area.

The detached outbuilding for use as a home office for the occupants of the dwelling and as a games room for their son. If the outbuilding were at the rear of the property, it would be considered permitted development, however, as stated previously, this property does not benefit from a rear garden with all the amenity space to the front and sides and therefore the building cannot be considered Permitted Development as it is forward of a front elevation. It has been built out of materials that complement and enhance the character of the area and has the appearance of a normal domestic outbuilding/garage. Therefore, this is not an uncommon feature to see at the side of a dwellinghouse.

Finally, the fence has been constructed to the side elevation of the property and is above an existing wall. It is not particularly high and is once again a normal feature of domestic living. It is of a similar height to the other boundary treatments along this stretch of the road as can be seen in the photographs below and therefore does not stand out as being out of place in the streetscene and does not detract from the character and appearance of the Conservation Area.



Refusal Reason

The Notice of refusal was dated 4th October 2021 and contained the following reason for refusal:

1. The development has a detrimental impact upon the appearance of the property, the street scene and detracts from the Conservation Area thus conflicting with policies GDP1(a) and EC7 of the Wrexham Unitary Development Plan. **The proposals have all been sensitively designed to both appear**

subservient to the existing dwelling and blend in with the character and appearance of the local area. The property at the other end of the terrace has a porch extension and whilst it is not of the same design it is still a feature that sets a precedent. The planning officer within the report has stated that all the works proposed are acceptable and do not detrimentally impact upon the character and appearance of the Conservation Area or the amenities of the neighbouring residents. It is therefore somewhat strange that the application should be refused on this basis when there is no professional support for such refusal.

The porch extension is wholly appropriate in this setting and is a feature you would expect to see on the front of a dwelling. It has been built in matching brickwork and of a size that appears subservient to the main dwelling.

The pergola has been constructed over an existing patio area and is again a common feature of a residential garden. It has been built in a material that complements the host dwelling and does not impact upon the character and appearance of the area.

The detached outbuilding for use as a home office for the occupants of the dwelling. It has been built out of materials that complement and enhance the character of the area and has the appearance of a normal domestic outbuilding/garage. Therefore, this is not an uncommon feature to see at the side of a dwellinghouse.

The fence has been constructed to the side elevation of the property and is above an existing wall. It is not particularly high and is once again a normal feature of domestic living. It is of a similar height to the other boundary treatments along this stretch of the road. The appellant has also planted soft growing creeper plants along this fence that in six months will cover the timber and give it a more natural softer appearance.

Planning Officer Report

To assist in the consideration of the Appeal, some of the paragraphs from the report from the Planning Officer are included below with appropriate commentary on the relevant parts:

Retrospective planning permission is sought for a front porch, boundary fence, pergola, outbuilding and wall.

The proposed porch measures 2m in depth, 2.65m in width and measure a maximum height of 3.26m to the ridge of its pitched roof.

The proposed timber pergola measures 2.3m in height, 4m in width and 3.7m in depth and would extend from the front elevation of the side extension.

The proposed wall is located within the site to the west of the outbuilding and south of the main property and partially encloses a patio area.

History

P/2019/0899 – PP approved for single storey extension

Development Plan

Located within settlement limits and Holt Conservation Area.

Policies GDP1 and EC7 of the Wrexham UDP are applicable.

Local Planning Guidance Note (LPGN) Nos. 20 – House Extensions and 4 – Conservation Areas

Consultations

Community council – Consulted 23-12-2021

Object to the proposal with the following concerns:

- Design of the porch considered too large and out of proportion with the house. **The planning officer has confirmed that the porch is a subservient feature on the dwelling and therefore not too large and has the appearance of a traditional porch. The design enhances the dwelling giving a more traditional and character full appearance.**
- Concerns raised over the scale and design of the side boundary fence **Again the officer has confirmed that the side boundary fence is of an acceptable design and scale. It is not overly large but sufficiently encloses the land so that the appellant can utilise the space as they would a rear garden and the fence provides shielding for the works undertaken which further minimises its impact on the area. It also provides security and allows a safe space for the appellants granddaughter and dog to enjoy the outdoors. The appellant has also planted soft growing creeper plants along this fence that in six months will cover the timber and give it a more natural softer appearance.**
- Concerns raised over the location of the outbuilding, its scale and design **Due to the orientation of the dwelling and the fact that the appellants do not have a rear garden area, they are limited in where they can erect such an outbuilding. The outbuilding is not overly large, appears subservient to the dwelling and has been constructed using materials that match in with the surrounding area as confirmed by the case officer**
- Parking issues due to potential use of outbuilding as office **It is unclear where the community council has got the idea that this building will be used as an office that will attract additional traffic. The Covid 19 Pandemic has seen many people move from office working to home working and this is something that looks set to continue well into the**

future now as more and more businesses adopt this way of remote working. Many families do not have a spare room in their home that they can allocate just as an office space and so are looking for alternative ways to provide the space to work from home whilst still retaining the important family space within the property. This is exactly what has been provided here. The building will be used as a home office for the appellant to work from home rather than an office where other employees will be attending and therefore will not produce any additional traffic or parking issues. When the building isn't being used as an office it is a gaming space for the appellant's son.

Reconsulted 19.08.2021

- It is considered the porch is too large and it is felt it is out of proportion to the house, unlike other houses in the vicinity who have also built porches. **The other porches in the area have been built in relevant sizes and styles to the host properties. This porch is a subservient addition to the front of the dwelling and has an attractive pitched roof and traditional appearance that fits well on the dwelling and in the surrounding area.**
- The owners have tried to screen the building with high hedges, wall, fence. These are too high and a particularly 'alien' feature in this part of a 'Conservation Village' and is very prominent when viewing the site from the Church Green or approaching from Farndon side. The roof can also be seen. The remaining properties in The Gardens all have low brick walls built to match the properties. This property is probably the most prominent in the row and the fence is too intrusive. It does not (in Hold CCs opinion) preserve or enhance the Conservation Area. **Firstly, it is important to note that the hedge is an existing feature and this is clear in the fact that it is a very well established hedge and clearly not something that has been planted in the last couple of years. Secondly, the appeal property does not benefit from a rear garden with all the amenity land being to the front and side and therefore it is wholly appropriate for the occupants to provide appropriate screening to allow them to utilise the land with a certain level of privacy. The existing hedging cannot be considered an alien feature of the area as is demonstrated in the photographs below of other properties within the same Conservation Area. The fencing is off the main road and is lower than the hedging and therefore appears appropriately subordinate to this.**





All the above properties with hedge boundaries are on the same road as the appeal site and demonstrate that they are not an unusual feature of the area and cannot be considered alien.

- The outbuilding is very large and prominent, being forward of the building line disturbing the symmetry of the front of the properties. It is described as a 'home office' which raised concern as to whether clients would be visiting the property because if this is the intention there are no off road parking provisions and they would be adding to an already hazardous situation with vehicles parking, up to the junction of Church Street in front of the property and The Gardens, impeding vision from The Gardens onto Church Street and causing congestion on Church Street/Bridge Street. The pergola we note is a fresh addition also in retrospect. **As can be seen from the aerial shot of the road there is not an established building line with the houses being built at various levels along the street frontage:**

approx. site of outbuilding ■ appeal site →



The outbuilding is also shown on the street photograph below which demonstrates that it is not a feature that particularly stands out when viewing the property from the road. As stated previously the outbuilding is intended to be used as a home office by the appellant and their family only and will therefore not create any additional traffic to the area. The Community Council cannot object to a proposal based on supposition.

- This all makes the Holt Community Council feel that the owner has frequently overstepped the line in terms of the recent developments of the site and all this on top of planning issues associated with the extension of the house. **Firstly, this cannot be considered an objection, just because an applicant may apply for something retrospectively does not mean that permission should not be granted. Secondly, the extension of the house has the relevant planning approval in place and therefore demonstrates that there are no issues with this.**

Local Member Consulted 23.12.2020 and 19.08.2021 **Presumably there was no response received in relation to these consultations which would suggest the local councillor does not have an issue with the proposal.**

Neighbours: The owners/occupiers of 7 neighbouring properties notified 30.12.2020 and 19.08.2021 **Again presumably the neighbours consulted did not raise any objections to the consultations which is one of the best indications that the works do not detrimentally impact upon the character and appearance of the area or the amenities of the adjacent occupants.**

Press Notice: Expired 29.01.2021

Special Considerations

Policy GDP1 seeks to ensure that built development in its design, layout, scale, materials used and landscaping accords with the character of the site.

Policy EC7 requires proposals within Conservation Areas to preserve and/or enhance the unique character of the area. **As officers said it was recommended for approval the professional view is the development does enhance or preserve the character of the area.**

Porch

The porch has been built in matching materials that assimilates it into the host dwelling. Whilst the porch is larger than several similar examples in the locality, this particular building sits within a wide plot that sets it apart from neighbouring properties. Due to the scale of the existing house, this porch is considered to appear subservient to the main dwelling and would appear in proportion to it. Whilst the property forms part of a terrace of eight houses, as its principle elevation is perpendicular to the houses fronting the Church Green, this property does not form part of a uniform street scene and therefore the development is not considered to result in a loss of symmetry to the terrace. **Confirmation therefore that the porch is considered to be in keeping with the host dwelling and surrounding area.**

Whilst Guidance Note 20 states that front extensions will rarely be acceptable, given that porches are a familiar architectural feature within the locality, and when considering the assessment above, its presence is not considered to harm the character and appearance of the conservation area. The proposal is considered to be sympathetic to the form, scale, proportion and design of the existing dwelling. **Whilst it is understood that front extensions are not normally considered acceptable, it should be recognised that porches are usual features over front doors providing a covered entrance to the dwelling and therefore are wholly appropriate on a front elevation regardless of whether there are other properties with front porches in the area. It should also be noted that if the porch were built 22cm lower and 2 square metres smaller it would be deemed permitted development. Whilst it is understood that at the height and size it has been built it isn't PD, the minor additional height and floor space cannot be deemed so significant to be the difference between permitted development and a refusal when such a difference would not be noticeable with the naked eye.**

Outbuilding

The outbuilding is sited forward of the main elevation of the property and located near the southern boundary of the site. The building is visible from public vantage points along Bridge Road and from the Church Green. The proposal is therefore considered to be located within a sensitive location within Holt Conservation Area.

It should be noted that the outbuilding is partially screened by the existing front boundary treatment. This hedge could be removed in future; therefore, it is considered reasonable and necessary to condition the retention of this hedge in order to partially obscure the development. The site does not form part of a consistent street frontage and there is not a consistent building line along Bridge Street. Properties have differing setbacks from the street

frontage and in some cases, development is located directly onto the pavement. The proposal is sited within a wide plot and due to the location and scale of the outbuilding it is not considered to dominate the appearance of the property or its front garden area. The use of timber is considered to be acceptable as it is a common material for ancillary development within garden settings.

Within the broader context of the street scene and subject to a condition to retain the front hedge, the scale of the outbuilding is considered to be acceptable and would not unacceptably impinge on the character of the site. Given the above assessment, and on balance, the proposed outbuilding is considered to be appropriate form of development. It is considered to accord with the character of the site and would preserve the character and appearance of the Conservation Area. **Confirmation therefore that the outbuilding is considered acceptable and agrees with our earlier argument that there isn't a consistent building line along this street and therefore the outbuilding does not appear out of character or incongruent. The appellant is prepared to accept a condition ensuring the retention of the hedge as this provides them with much needed privacy allowing them to enjoy their outdoor amenity space fully. The professional officer states quite clearly *"It is considered to accord with the character of the site and would preserve the character and appearance of the Conservation Area."***

Wall

This element would not be clearly visible from public vantage points and given its scale would not compete with the main property. This element is considered to preserve the character and appearance of the Conservation Area. **This is an accurate assessment of the erection of the wall and confirms that it does not detrimentally impact upon the character and appearance of the conservation area. The professional officer clearly states *"This element is considered to preserve the character and appearance of the Conservation Area."***

Pergola

Whilst the pergola is sited forward of the main elevation of the house, its height is lower than that of the side extension and porch. Additionally, by being open at all sides, the structure itself is considered lightweight in appearance. The pergola is largely obstructed from view by existing boundary treatments and only a small section of the pergola would be visible from public vantage points. Due to the use of timber (which contrasts with the brick of the main building) and its scale, the structure is considered to appear as a subservient to the dwelling and consequently, on balance, the proposal is not considered to harm the character and appearance of the Conservation Area. As noted above, in relation to the outbuilding, the retention of a high boundary hedge would ensure that the structure is partially obscured from view. **The photos attached to the Planning Officer report show the pergola as viewed from the main road and as can be seen, and as confirmed here, it is not easily visible and is made**

of an appropriate material that contrasts well with the main dwelling and fits well in the area thereby not detrimentally impacting upon the character and appearance of the area.

Timber boundary fence

The timber boundary fence is located in the north-eastern corner of the site is located above the existing retaining wall and to the side of the main property. Its height above this wall is approximately 0.9m and as such, the timber panels themselves are not considered to appear as a prominent addition to the street scene as its massing is broken up by the stone retaining wall below. This fence also aids in obscuring views into the site and the development outlined above. With this in mind, it is considered that the fence is acceptable within the context of the wider group of dwellings which appear to have been built in the 1970s. These dwellings are considered to be of less importance than properties within the historic core of the village. In order for the fence to better assimilate itself with the street scene, it is considered reasonable to impose a condition which requires the applicant, within three months of the permission, to agree and implement a colour scheme to the satisfaction of the local planning authority. **The appellant is happy to accept such a condition. As is confirmed by the planning officer, the fence above the boundary wall does not appear out of place and as it is at a lower level than the existing hedge appears as a subservient addition. It does not block any views along the road and its visual impact is minimal. The appellant has also planted soft growing creeper plants along this fence that in six months will cover the timber and give it a more natural softer appearance.**

Overall, for the reasons noted above and subject to conditions, the proposals are considered to represent an acceptable design, which would accord with the character and appearance of the host property and the Conservation Area, thereby in accordance with policy objectives of policies GDP1 and EC7. **Confirmation from the planning officer that the proposals are acceptable and have been carefully and sensitively designed to sit well within the plot and within the surrounding area.**

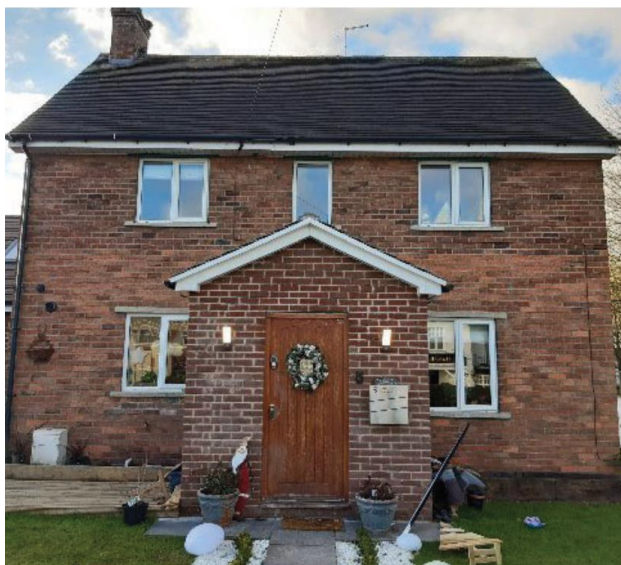


Figure 1 – Porch extension to front of the property – **As can be seen, the proposal sits well on the front of the property giving it a more traditional appearance and is not overly large in relation to the house.**



Figure 2 – Site when viewed from Bridge Street – **As can be seen from the above photograph the works undertaken can barely be seen from the street scene and therefore do not have a detrimental impact upon the character and appearance of the area or the Conservation Area.**



Figure 3 – outbuilding viewed from Bridge Street – **the photo above demonstrates how the existing hedge shields the views of the outbuilding and a condition requiring the retention of this hedge will ensure that it continues to shield the outbuilding from view. However, even without the hedge in place the building is similar to a normal outbuilding that you would expect to see within the residential curtilage of a property.**



Figure 4 – Outbuilding and wall viewed from within the garden. – **As can be seen the outbuilding has a very similar appearance to a normal domestic garage that you would expect to see within a residential garden.**



Figure 5 – Pergola



Figure 6 – Timber Boundary Fence



Figure 7 – Elevation drawings (excluding the pergola and boundary fence)

Amenity: Policy GDP1 seeks to ensure the amenity of the public. The most affected property by the outbuilding is no. 2 The Gardens which is sited approximately 8m to the south from the proposed outbuilding. Due to the scale of the proposals and their separation distances from neighbouring residential development the development would comfortably pass the initial 45-degree BRE daylight/sunlight assessment when measured from the nearest adjacent windows. The development due to its location and its scale is not considered to be overbearing to this property and neither would it result in any substantial additional overshadowing.

The most affected property by the fence is no. 4 due to the shared boundary with this property. Due to the modest height of this fence above garden levels of both the application site and no.4 it would clearly pass the BRE 45-degree daylight/sunlight assessment from the nearest window. It is not considered to be overbearing when viewed from no.4 and either is it considered to result in an unacceptable increase in sense of closure of the front garden area of that property. All other aspects of the development are considered to be located sufficient distances way from neighbouring properties. Given the above assessment, the proposal is not considered to result in any unacceptable impacts on neighbour amenity, thereby in accordance with policy GDP1. **Confirmation therefore that there will be no negative impacts**

resulting from the proposals which is also confirmed by the fact that none of the neighbours consulted wrote in objecting to the proposal.

Parking: Concerns have been raised over potential comings and goings to the site from the proposed office use of the outbuilding and subsequent potential parking issues. This proposal is for householder consent, the use of the office/outbuilding will be required to be incidental to the enjoyment of the main dwelling house. A condition will therefore be imposed to limit the use of the outbuilding to that purpose. The use of the outbuilding, therefore, should not result in noticeable comings and goings of clients to the property and any associated parking issues. **Confirmation that the parking issues raised by the members of the Community Council are not considered to be problematic and that a condition can be imposed to overcome any continuing concerns they may have.**

Other Matters: Whilst it is noted that the proposed elevation drawings have not been updated to show the pergola or boundary fence, the maximum dimensions of these elements are identified on an amended site plan. Additionally, both elements are in place and photos of the structure had formed part of the application. In light of the submission of a site plan and photos, it is considered that adequate information has been submitted in order to determine this application.

CONCLUSION

Subject to conditions, the design of the proposals are considered to be acceptable in principle and are not considered to harm the character and appearance of conservation area. The proposals are also considered to have an acceptable impact on neighbouring amenities. The proposed development is considered to conform to the objectives of Wrexham UDP policies GDP1 and EC7. **Therefore in the opinion of the Planning Officer the proposal is acceptable and accords with all relevant policies which is completely at odds with the wording in the refusal reasons.**

RECOMMENDATION: That permission be GRANTED

Issues for Appeal

The issues for the appeal include:

- The proposal fully accords with all relevant national and local planning policies
- The opinions of the members of the Community Council are purely subjective and go completely against the opinion of the Planning Officer
- No neighbour objections have been received in relation to the proposals which is a big indication that they will not detrimentally impact upon the amenities of any local residents
- The proposals, as confirmed by the planning officer, have been sensitively designed to sit well within the plot and within the Conservation Area

It is important to respectfully draw to the inspector's attention to relevant sections of the Welsh National Planning Policy Guidance that have either been overlooked, misinterpreted or not given due weight and consideration within the decision-making process. The following sections in particular are highlighted as requiring attention.

Para. 1.2. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. **The proposed development meets the needs of the present occupants by allowing them to expand their home and create comfortable, usable space, improving the suitability of the property for family use. It is not so specific that it would not benefit any future occupants of the property. It has raised no objection in the neighbourhood and causes no significant harm to the neighbouring properties. It therefore complies with the social objectives.**

The very fact of the development costs associated with housing extensions is sufficient to meet the economic objective test under the sustainability principle. This proposal created employment for local builders and trades people which in turn contributes to the local economy. The increase in value of the property creates a potential rise in the Council Tax payable meaning this proposal meets the economic objective as the Council will receive continual payments from the development to assist in the future provision of services.

This proposal is making an effective use of land, providing space for the appellant to work from home which is becoming more and more necessary since the Covid19 pandemic. The proposal has been designed sympathetically to protect the built environment by utilising materials and design features that match in with the host dwelling and are energy efficient. The appellants have created a wholly appropriate addition to their property, making it more comfortable for family use. There is no harm to any ecology as the land is already developed. It complies with the environmental objections of this policy.

Para. 1.6 The suite of documents placed at the heart of the planning system in Wales is our commitment to delivering and maximising the contribution planning makes to the achievement of the goals set out in the Well-being of Future Generations Act. Planning authorities are under a duty to have regard to the 'Well-being Plans' published by the Public Service Boards (PSBs) during SDP/LDP preparation and review and they form a key part of the evidence base. Reference documents provide information that should be read in conjunction with this document. **The proposal is meeting the need for additional space for the occupants of the dwelling. It will provide space for the appellant to work from home which is becoming more and more common since the start of the Covid19 pandemic, allowing the family to adapt their home to meet their needs rather than having to move to a different property**

and location. It does not compromise the ability of future generations to meet their own needs yet meets the needs of the present occupiers and therefore fully accords with this policy.

A Placemaking Wales Charter has been developed to reflect the collective and individual commitment of these organisations to support the development of high-quality places across Wales for the benefit of their communities (dcfw.org/placemaking/placemaking-charter/).

Para. 2.6 Sustainable placemaking is an inclusive process, involving all of those with a professional or personal interest in the built and natural environment, which focuses on developing plans, making decisions and delivering developments which contribute to the creation and enhancement of sustainable places. **The local community, who have personal interest in the built environment, have been consulted on the proposal and no objections have been received.**

Para. 2.7 Placemaking in development decisions happens at all levels and involves considerations at a global scale, including the climate emergency, down to the very local level, such as considering the amenity impact on neighbouring properties and people. **As noted, the local community have been consulted on the proposal and no objections have been received. The LPA has confirmed that no harm to privacy or neighbours' amenity will occur.**

Para. 2.8 Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales. This can be done through maximising their contribution to the achievement of the seven well-being goals and by using the five Ways of Working, as required by the Well-being of Future Generations Act. This will include seeking to maximise the social, economic, environmental and cultural benefits, while considering potential impacts when assessing proposals and policies in line with the Act's Sustainable Development Principle. **This proposal has sought to meet the sustainable development guidance in the PPW. It does not compromise the property for future generations but allows the present occupants to adapt their home to meet their needs. It is making an effective use of the land, providing a space for the appellant to work from home. It allows the family to extend their home to suit their needs and meets the economic, social, and environmental requirements. There is no doubt therefore that the sustainability principles and objectives are fully met. The outbuilding for construction as a home office is not a permanent structure and could therefore be removed at any point in the future where it was no longer required which further demonstrates that it does not compromise the property for future generations.'**

Para. 3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area. **The proposed outbuilding is to be utilised as a home office allowing the appellants to work from**

home without having to take up existing space within their home, therefore making the dwelling a more comfortable and long-term home for the occupants. It makes efficient use of space and gives the inhabitants room to accommodate their changing needs, making the dwelling more suitable for family use and increasing its value and appeal for future occupants.

The materials utilised match the existing house and care will be taken to ensure that the construction is of good quality, completed efficiently and in line with building regulations. Care has been taken to ensure that the proposal is in line with other properties in the area and adheres to the street scene, where many properties have been extended due to the changing requirements of the occupants.

Local Planning Policy Context

The relevant parts from the Council's Local Plan with commentaries under each are set out below:

Policy GPD1

All new development should:-

- a. Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes positive contribution to the appearance of the nearby locality. **This proposal fully accords with this point as confirmed by the planning officer within their assessment of the case. All materials used have been chosen to complement the existing house and wider area and all the structures have been designed to be subordinate to the host dwelling.**
- b. Take account of personal and community safety and security in the design and layout of development and public/private spaces **By constructing a boundary fence that sits higher than the existing wall the appellants are ensuring their personal safety and the safety of their belongings**
- c. Make the best use of design techniques, siting and orientation in order to conserve energy and water resources **Not relevant to this proposal**
- d. Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality. **Not relevant to this proposal**
- e. Ensure that built development is located where it has convenient access to public transport facilities and is well related to pedestrian and cycle routes wherever possible. **Not relevant to this proposal**
- f. Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying and associated noise, odour or vibration arising from development. **Not relevant to this proposal**

- g. Secure public services (e.g. gas, water, electricity) to development at minimum public cost. **Not relevant to this proposal**
- h. Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest. **Not relevant to this proposal**
- i. Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site. **Not relevant to this proposal**
- j. Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity. **Not relevant to this proposal**
- k. Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area. **Not relevant to this proposal**

Policy EC7

Within, and in close proximity to, Conservation Areas, the priority will be to preserve and/or enhance those buildings, structures, streets, trees, open spaces, archaeological remains, views and other elements which contribute to the unique character of the area. New buildings and alterations or additions to existing buildings in conservation areas, whether listed as of special architectural or historic interest or not, must reflect the design and character of the area as a whole and the form, scale, detailing and materials of existing buildings. **As confirmed by the planning officer within the assessment of this application all the structures have been carefully and considerably designed to preserve and enhance the host dwelling and the surrounding Conservation Area. The majority of the structures are not easily visible from the public realm and those elements that are visible are of an appropriate design and utilise appropriate materials that ensure they enhance the area and do not need to be hidden.**

Conclusions

The Planning Officer assessed the application and recommended it for approval. However, the application was called in to Committee as the Community Council objected. The opinion of the members of the Community Council that the proposals will have a detrimental impact upon the character and appearance of the Conservation area is a subjective one which is demonstrated in the fact that the case officer had a completely different opinion and felt that the development was wholly appropriate and the development preserved or enhanced the conservation area. Therefore, this should not have formed the basis of a refusal.

The Community Council also raised issue with the existing hedge stating that it is an alien feature of the area, however the hedge itself is well established and does not form part of

this application so this comment is irrelevant. Nonetheless, as demonstrated above, boundary hedges are not an alien feature of the area.

Further issues were raised regarding the outbuilding and the potential that it may be utilised as an office by people outside of the family residence thereby creating additional traffic on the roads and parking problems. This objection is a stretch to say the least as it was made absolutely clear within the application that the building would be used as a home office and there was never any suggestion that people may be travelling to the site to work from here. Notwithstanding this, the Planning Officer quite rightly stated that a condition could be placed on this building to ensure that it is only used as a home office by the occupants of the dwelling which would then overcome the concerns raised here. Since the Covid 19 global pandemic it has become somewhat the new 'normal' to work from home with many businesses choosing to continue this way of remote working even now the restrictions have been lifted. Not many people are fortunate enough to have a room in their home that is not used for any other purpose that can be given over to be a dedicated office space and therefore to allow the occupants continue to utilise the space inside the house as they normally would whilst still being able to work from home comfortably. Working from home is no longer a temporary solution and people need to find a way to accommodate this space within their property and land boundaries. The home office building is a temporary structure and therefore, if at such a time where it is no longer needed, or if the appellants move house and the new occupants do not want it on site then it can easily be removed.

The final issue raised by the Community Council was the fact that the works had been undertaken prior to submitting an application and whilst it is understood that this is not an ideal situation and not the normal way planning applications are submitted, retrospective applications are a regular type of application received by Council's all over the country and it is not a reason to object to an application or indeed refuse an application.

It would appear that the main issue the Community Council has with the application is its retrospective nature so have then raised issues that they felt would be considered 'relevant planning objections' despite these going directly against the view of the planning officer themselves. Therefore, taking all of this into consideration we would now ask that planning permission be granted for these works and the appeal be allowed for all of them.

In the event the Inspector considers there is merit in some but not all of the development proposals we would ask the Inspector to clearly indicate which if any of the elements of the proposals are acceptable and which are not as part of seeking to find a way forward in the event the whole is not allowed.

Recommendation

The Inspector is respectfully requested to allow this appeal.

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