
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 29/01/19

gan Iwan Lloyd BA BTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 07.03.19

Appeal Decision

Site visit made on 29/01/19

by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 07.03.19

Appeal Ref: APP/H6955/D/19/3219734

Site address: 72 Ruabon Road, Wrexham LL13 7PH

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 Mrs Patricia Reid against the decision of Wrexham County Borough Council.
 - The application Ref WRO P/2018/0739, dated 24/08/2018, was refused by notice dated 12/10/2018.
 - The development proposed is replacement windows to same design and proportions as those replaced.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the development on the character or appearance of Fairy Road Conservation Area.

Reasons

3. The appeal property is a semi-detached dwelling with a row of terrace properties either side of them located on the north side of Ruabon Road opposite Belmont Road junction. The pair of houses and the properties along this road are constructed of red bricks with a slate roof and projecting timber bays over two floors terminating in a dormer gable apex. Nos. 40-70 Ruabon Road exhibit a simpler style of red terrace housing but do not feature the projecting timber bay. The appeal property is situated in the Fairy Road Conservation Area, and an Article 4(2) Direction is in place to require the submission of a planning application for works such as the replacement of windows from timber to uPVC frame windows. In this case, uPVC frame windows have been installed in lieu of timber frame windows, and the application/appeal development is treated as having already been carried out.
 4. The timber windows which have been replaced were not the original windows in the property. The Fairy Road Conservation Area Assessment identifies the properties on Ruabon Road as an important townscape group on a key approach to the town centre. The projecting timber bay windows are notable features of the properties on Ruabon Road and form part of the special interest of the conservation area.
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5. The installed windows in the bay has altered the spacing of the glazing between the frames. The uPVC frame appears slimmer than the previous timber frame it replaced, and the profile of the frame is moulded and has an engineered appearance unlike the frame it replaced. The glazing is highly reflective and the combination of these features together with colour differences to the bay frame do not preserve the appearance of the Fairy Road Conservation Area.
6. The appellant asserts that several properties in the conservation area had changed their windows to uPVC after its initial designation and that these have an improved appearance compared to earlier designs of windows. The appellant contends that it would be now unjust to require the reinstatement of timber windows whereby no similar action could be taken against earlier uPVC windows in nearby properties that are more harmful to the conservation area. The installed casement windows in the appeal property it is claimed match closely the replaced frames in proportion and design. The appellant also indicates that the replaced window frames and glazing was ill-fitting of poor repair, insecure and inefficient in prevent heat loss. An audit of 33 houses fronting Ruabon Road reveals that 6 properties have their original windows, 3 have partially replaced windows and 24 houses have uPVC windows. On this side of Ruabon Road the appellant contends that this represents 73% of properties with uPVC windows already installed.
7. However, the Article 4 Direction is a policy intervention designed to halt the trend of dwelling houses being fitted with uPVC replacements. Whilst the use of uPVC frame windows predominates on this part of the road the Article 4 Direction is intended to halt this change, and when considering the whole conservation area there is no compelling evidence to indicate that uPVC forms part of the actual character of the conservation area. I note the thermal properties of uPVC, but this factor does not outweigh my conclusion on the harmful effect on the appearance of the conservation area.
8. I consider that the development conflicts with Policy EC7 of the Wrexham Unitary Development Plan. I conclude that the development fails to preserve the appearance of Fairy Road Conservation Area.
9. In all, 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 (“the WBFG Act”). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act. I am satisfied that my decision accords with the Act’s sustainable development principle through its consistency with the objectives concerning environmental well-being and supporting cohesive and attractive communities.
10. I conclude that the appeal should be dismissed.

Iwan Lloyd

INSPECTOR