
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/03/18

**gan Clive Sproule BSc MSc MSc
MRTPI MIEEnvSci CEnv**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 11.04.2018

Appeal Decision

Site visit made on 20/03/18

**by Clive Sproule BSc MSc MSc
MRTPI MIEEnvSci CEnv**

an Inspector appointed by the Welsh Ministers

Date: 11.04.2018

Appeal Ref: APP/H6955/D/18/3194599

Site address: Fraser Cottage, High Street, Bangor on Dee, Wrexham LL13 0AU

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 Sarah Bailey-Rogers against the decision of Wrexham County Borough Council.
 - The application Ref BAN P/2017/0825, dated 27/09/17, was refused by notice dated 04/12/17.
 - The development proposed is four uPVC windows as installed to the front elevation of Fraser Cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Bangor on Dee Conservation Area.

Reasons

3. Fraser Cottage lies within the Bangor on Dee Conservation Area ('the Conservation Area'). The Conservation Area extends out on both sides of High Street to include buildings within this part of Bangor on Dee and the river bank on the opposite side of the River Dee. A stone bridge links High Street to the opposite (western) side of the river. Views taken across the bridge from the part of High Street next to it are to open countryside.
 4. Views taken along High Street from the area near to the bridge begin with a significant level of openness, which is provided by church grounds next to the river and then by development that is set back from the southern side on the highway. In these views, Fraser Cottage is the first building on the southern side of High Street not to be set back from the highway. As such, the dwelling has a frontage onto the street and a deep side elevation that includes both the 'front' door and windows that are also visible from the street. Therefore when High Street views include both elevations of Fraser Cottage, consistent themes in its fenestration assists the legibility of the building and its architecture. However in views taken along High Street toward the river, only the front elevation of Fraser Cottage is seen and, by its location and
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position, the frontage is an important component of the Conservation Area's historic townscape.

5. The Bangor on Dee Conservation Area Assessment and Management Plan notes the special character of the Conservation Area to result from factors that include the use of building materials and architectural details. It notes the characteristic window styles to be sliding sash or multi-paned leaded lights, and these were evident during my site visit.
6. The Council has confirmed that: a direction in relation to Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 applies to the Conservation Area; and, it restricts permitted development on the front elevations of buildings in the Conservation Area. Replacement uPVC windows have been fitted to both elevations of Fraser Cottage that are visible from High Street. These windows are of a contemporary design that does not include any characteristic sliding sash or multi-paned leaded light features. The four replacement window frames in the High Street elevation have resulted in the appeal proposal, which seeks planning permission for development that has already occurred.
7. Fraser Cottage abuts and forms a part of the High Street frontage with The Stableyard, which is a Grade II listed building. Windows within The Stableyard's High Street elevation clearly display characteristic features that are identified within the Conservation Area Assessment and Management Plan. The type of window opening and undivided glazed units installed in the High Street frontage of Fraser Cottage, along with the thickness of their uPVC frames and the overtly contemporary nature of the material, cause the Fraser Cottage frontage to contrast sharply with the fenestration of the adjoining The Stableyard. This contrast emphasises the presence of the uPVC window frames in the Fraser Cottage frontage.
8. *Planning Policy Wales – 9th edition* ('PPW') states that "*The historic environment is relevant to and is a vibrant part of the culture and economy of Wales. To enable the historic environment to deliver rich benefits to the people of Wales, what is of significance needs to be identified and change that has an impact on historic assets must be managed in a sensitive and sustainable way*".¹
9. There is no evidence that demonstrates the current windows in the High Street elevation of Fraser Cottage contrast less than the windows that they replaced. Accordingly, the development erodes both the character and appearance of the Conservation Area, and this consideration carries more weight than retaining consistency between the two elevations of Fraser Cottage that are visible in certain High Street views.
10. A considerable number of buildings within the Conservation Area have uPVC windows installed in their frontages. The background to these installations is not clear and consequently it is not apparent that, beyond the presence of uPVC window frames in the Conservation Area, the circumstances of these other window installations are comparable to Fraser Cottage. As such and in any event, the current appeal falls to be determined on its own merits within the context of the specific circumstances, planning policies and legislation that apply to Fraser Cottage and the historic environment around it.
11. My attention has been drawn to matters that include: the personal circumstances of the appellant's family; some local support and lack of objection in relation to the

¹ PPW paragraph 6.1.3

appeal scheme; and, the partial screening of the High Street elevation by parked cars. However, these matters can only provide limited weight in favour of the proposal, and must be set against the objectives for the Conservation Area.

12. Policy EC7 of the *Wrexham Unitary Development Plan 1996 - 2011* - adopted 14th February 2005 ('UDP'), is clear that within conservations areas alterations to existing buildings must reflect the design and character of the area as a whole and the form, scale, detailing and materials of existing buildings. As such, UDP Policy EC7 remains consistent with PPW and retains the full weight of adopted development plan policy in this decision.
13. For the reasons given above, the development fails to preserve or enhance the character and appearance of the Bangor on Dee Conservation Area and conflicts with UDP Policy EC7 and the relevant parts of PPW. No matters, including the scope of possible planning conditions, have been found to outweigh the identified failure and policy conflict. Accordingly, the appeal should be dismissed.
14. 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 that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Clive Sproule

INSPECTOR