TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT 19 WYNNSTAY COURT WYNNSTAY HALL ESTATE RUABON

COUNCIL'S STATEMENT OF CASE

PLANNING REF: P/2016/0046

PINS REF: 3157137

1.0 THE SITE

1.1 The property is a curtilage listed building by virtue of its association with the Grade II* listed Wynnstay Hall. The property also forms part of a continuous group of former outbuildings which prominently line the principal approach to the hall.

2.0 PROPOSAL

2.1 The appellant is seeking planning permission to replace existing timber windows with uPVC windows.

3.0 RELEVANT HISTORY

3.1 CB00991 Conversion of existing buildings and extension to form 18. No. houses. Granted 6.10.1997

3.2 CB00992 Adaption of existing building to form new dwellings and associated landscaping works. Listed building consent granted 3.6.1998

3.3 CB02639 Conversion of existing outbuildings to increase dwelling numbers from 8 to 13 on part of the existing approved site area (code no. CB000991). Granted 11.1.1999

3.4 CB02640 Conversion of existing outbuildings to increase dwelling numbers from 8 to 13 on part of the existing approved site area. Listed building consent granted 14.5.1999

3.5 P/2016/0045 Listed building consent for replacement of timber windows with uPVC equivalent to front, side and rear windows. Refused 14.3.2016

4.0 NATIONAL PLANNING CONTEXT

4.1 Circular 61/69: Planning and the Historic Environment: Historic Buildings and Conservation Areas

5.0 LOCAL PLANNING CONTEXT

5.1 The relevant development plan is the Wrexham Unitary Development Plan (UDP) adopted 14 February 2005. Policy EC9 deals is directly relevant to the appeal.

6.0 THE COUNCIL'S CASE

6.1 When the traditional buildings within Wynnstay Hall estate were converted to residential use care was taken to ensure a consistent and largely traditional window style was used which reflects the

architectural and historic character of the surrounding estate.

6.2 The proposed windows will fail to retain the architectural and historic integrity of traditional timber units and will also detract from the coherent appearance of the group of buildings to which the dwelling belongs as well as most of the other outbuildings that are also now in use as dwellings. Permitting the use of uPVC in this instance would set an undesirable precedent for the use of similar windows elsewhere within the estate.

6.3 The use of uPVC is not normally permitted for use on listed building, indeed Circular 61/96 (Appendix to Annexe D) advises, that factory-made standard windows is almost always damaging to the character and appearance of historic buildings. The Council appreciates that appreciate that uPVC replacement windows have been allowed to be installed in units 22 and 23 but, along with nos 24 and 25 those properties are new build units and are therefore not curtilage listed. As such the advice of Circular 61/96 is not applicable to them.

6.4 The appellant has put forward a number of reasons why she considered the proposed windows to be more appropriate, in particular that uPVC windows will be more sustainable and energy efficient. No substantive evidence has been submitted to demonstrate that the proposed windows will be superior to well-made timber windows in that respect. The Council appreciates that there will be an on-going maintenance cost with timber windows, however this is not sufficient to outweigh the concerns discussed above.

6.5 Whilst noting that the dwelling suffers from poor ventilation, this appears in part to be due to difficulties with opening the existing windows. The Council contends that this is likely to be due to deterioration of the existing windows and/or possibly more other ventilation problems with the dwelling. The former could be solved via the use of well designed, made and maintained replacement timber windows. This issue could potentially be addressed by good quality replacement timber window and/or other alterations to the building. Either way the appellant has not put forward reasons for the use of uPVC windows that outweighs the concerns about their impact upon the character of the dwelling or the wider estate.

7.0 CONCLUSION

7.1 The proposed replacement windows will detract from the appearance of the dwelling as well as the character and setting of Wynnstay Hall and other nearby listed buildings. The proposals therefore conflict with Policy EC9 of the Wrexham Unitary Development Plan. The Council respectfully requests that the appeal is dismissed.