

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 16/03/16

gan Aidan McCooey BA MSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 29/03/16

Appeal Decision

Site visit made on 16/03/16

by Aidan McCooey BA MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 29/03/16

Appeal Ref: APP/H6955/A/16/3141986

Site address: Nevin, Wrexham Road, Pentre Bychan, Wrexham, LL14 4DS

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 Bryn Douthwaite against the decision of Wrexham County Borough Council.
- The application Ref P/2015/0677, dated 9 September 2015, was refused by notice dated 30 October 2015.
- The development proposed is a double garage and boiler store.

Decision

1. The appeal is allowed and planning permission is granted for a double garage and boiler store at Nevin, Wrexham Road, Pentre Bychan, Wrexham, LL14 4DS in accordance with the terms of the application, Ref P/2015/0677, dated 9 September 2015, and the plans submitted with it, subject to the following conditions:
 1. A scheme of landscaping shall be submitted for the approval in writing of the local planning authority within 2 months of the date of this permission. The scheme shall include indications of all proposed evergreen hedgerows on the land.
 2. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the approval of the scheme by the local planning authority; and any trees or plants which within a period of 5 years from planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
 3. Details of the replacement flue shall be submitted for the approval in writing of the local planning authority within 2 months of the date of this permission. The flue shall be replaced as approved within 2 months of the date of the approval by the local planning authority.

Main Issue

2. The main issue is whether the development has a significant detrimental impact upon the visual amenity of the adjoining property known as Alyndale.

Reasons

3. The appeal site contains one of a number of large detached properties along a wide main road. Nevin and adjoining dwellings are set behind stone walls around 2m high that are a prominent feature of the locality. The adjoining dwelling to the south-west (Mondray) has mature evergreen trees and several outbuildings to the front of the dwelling. The garage and store has been built and rendered. The photographs that accompany the appeal indicate that the building is around 8m by 5 m and 2.6m high.
4. Policy GDP1 of the Wrexham Unitary Development Plan 1996-2011 states that all new development should accord with the character of the site and make a positive contribution to the appearance of the area. The building is quite large and has an unfinished appearance. The high stone wall extends for a distance on either side of the development and largely screens the building from public view. The mature evergreen trees in the grounds of Mondray screen views of the building from that direction. Although the building is forward of the house and close to the road, the screening means that it is not prominent in the streetscene. The flue on the boiler store does project around 0.75m above the roof but it is set back from the road and on the opposite side of the building to Alyndale. It is similar to many such domestic flues and has a limited impact in wider views, given presence of the stone wall and nearby trees. I note that the appellant has offered to paint it black or substitute it for a black one. This could be required by a condition on any planning permission.
5. The only concern raised by the Council was the view of the building from Alyndale. It follows that the impact on the character and appearance of the area must have been considered to comply with Policy GDP1. The outlook in this direction would have encompassed a high stone wall prior to construction of the building. Whilst the building is relatively large, it has a low elevation and has now been rendered. The boundary between the dwellings is currently quite open. I note that the appellant has planted some Laurel hedging and indicates an intention to plant more hedging along this boundary and elsewhere to assist in screening the building. In time this would soften the view from the adjoining property. A change to a private view is not normally a planning consideration, in any event. Details and implementation of additional planting could be required by a condition on any planning permission.
6. The appellant indicated that the domestic boiler burns wood pellets, commonly used throughout the country. Any unacceptable emissions from the operation of the boiler can be addressed under pollution control legislation. The objections raised the view from the gap in the stone wall formed by the accesses to Nevin and Alyndale. All that can be seen is the side wall of the building. The appellant intends to erect solid replacement gates at the current opening, in any event. This will reduce the gap in the wall and reduce views of the proposal. The concerns regarding the adequacy of the building's foundations are not a planning matter. The development must be assessed on its own merits and the fact that development was undertaken without planning permission is irrelevant to such consideration.

Conclusion

7. This is a building to the front of an existing dwelling. Such proposals require careful consideration, as indicated in development policy and guidance. The views of the building are limited given the existing stone walls and trees around the site. The view from the adjoining dwelling can be screened by additional planting, which can be required by conditions. I consider that subject to conditions and on balance the development would comply with Policy GDP1. I conclude that the appeal should succeed for the reasons given.

A L McCooey

Inspector