



Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 21/06/11

Site visit made on 21/06/11

gan Mr A Thickett BA(Hons) BTP
MRTPI DipRSA

by Mr A Thickett BA(Hons) BTP MRTPI
DipRSA

Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad: 19/07/11

Date: 19/07/11

Appeal Ref: APP/H6955/A/11/2153476

Site address: 7 Muirfield Close, The Fairways, Wrexham, LL13 9FX

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 & Mrs Steven Nicholls against the decision of Wrexham County Borough Council.
- The application Ref WRA P/2011/0255, dated 4 April 2011, was refused by notice dated 10 May 2011.
- The development proposed is a two storey extension to the rear of the dwelling.

Decision

1. The appeal is dismissed

Main Issue

2. The main issue is the impact of the proposed extension on the living conditions of the occupiers of No. 10 Carnoustie Close with regard to daylight.

Reasons

3. The only windows to the kitchen at No. 10 Carnoustie Close face and are about 2.8m from the two storey side wall of the appellant's house. The windows are about 1.5m from the rear of the appellant house and whilst the outlook from the kitchen is poor, the existing relationship between the buildings allows some daylight to reach No. 10's kitchen.
4. The proposed two storey addition would extend about 3.5m to the rear of the appellants' house, resulting in a high wall extending around 5m to the south of the kitchen window to No. 10 Carnoustie Close. I consider that, due to its length, height and proximity to No. 10 Carnoustie Close, the proposed extension would result in a significant and unacceptable loss of daylight to its kitchen. For the same reason, I consider that it would also have an unduly overbearing visual impact on the occupiers of No. 10 Carnoustie Close.
5. A kitchen is classed as a habitable room in the Council's 'Space about Dwellings' Local Planning Guidance Note No. 21 and I consider this to be reasonable given that one can spend a lot of time in a kitchen; cooking, preparing food and washing up. The existing relationship between the two properties conflicts with the Council's 'House Extensions' Local Planning Guidance Note No. 20. However, that guidance was adopted after The

Fairways was built and, in my view, the conflict does not justify exacerbating an existing unsatisfactory situation.

Conclusions

6. For the reasons given above and having regard to all matters raised, I find that the proposed extension would have an unacceptable impact on the living conditions of the occupiers of 10 Carnoustie Close. I conclude that the proposal conflicts with Policy GDP1 of the Wrexham Unitary Development Plan 1996-2011, adopted 2005 and that the appeal should be dismissed.

Anthony Thickett

Inspector