Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Appeal Decision

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by N Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 27/06/2025

Appeal reference: CAS-04174-B5Q8G1

Site address: 2 Mareilian Avenue, Marford, Wrexham LL12 8LL

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 Dr Nigel Hudson against the decision of Wrexham County Borough Council.
- The application Ref P/2024/1543, dated 29 October 2024, was refused by notice dated 17 February 2025.
- The development proposed is the conversion of garage to annexe.
- A site visit was made on 11 June 2025.

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of the development as it appears on the Council's decision notice, as, whilst it differs from that provided on the application form, it succinctly describes the proposal.
3. The appellant provided drawings to the Council after it made its decision, showing alternative designs for the proposal. However, I have determined the appeal on the basis of the drawings that were before the Council at the planning application stage and on which it based its decision.
4. The Council's reasons for refusal allege conflict with policies in the Local Development Plan (LDP). The Council's decision to adopt the LDP was quashed by the High Court on 19 May 2025. Consequently, the development plan comprises Future Wales the National Plan 2040 (FW) and the Wrexham Unitary Development Plan 1996-2011, adopted 2005 (UDP). The Council has subsequently listed the UDP policies with which it considers the proposed development conflicts. I do not consider that the content or objectives of these UDP policies are materially different to the LDP policies cited in the decision notice. I have not therefore sought the parties' views as, given the matters in dispute, I do not consider that they would be prejudiced by my assessment of the proposal against UDP policies.

Main Issues

5. The proposal is to convert and extend an existing domestic garage to be used by ageing relatives who need increasing care and assistance whilst also desiring a degree of independence. Although the proposal is described by the appellant as an annexe, the Council considers that given its intended accommodation, it would be capable of independent occupation. However, the site is within a settlement and, provided the proposed development was acceptable in all other respects, I see no reason to find the principle of a new separate dwelling unacceptable.

6. I consider that the main issue therefore is the effect of the proposal on the character and appearance of the area.

Reasons

7. Stancliffe Avenue and Wynnstay Lane are parallel streets where dwellings of regular scale and spacing face the road and between which their extensive rear gardens back onto each other. Mareilian Avenue runs perpendicular to and connects these two parallel streets. The appeal dwelling occupies a corner plot at the junction of Stancliffe Avenue with Mareilian Avenue.

8. Setting aside the appeal dwelling and the other corner plots at its eastern and western ends, the appeal building, together with a small domestic garage and electricity sub-station directly opposite it, are the only structures accessed off Mareilian Avenue. I saw that Mareilian Avenue is an attractive urban street characterised by mature garden trees along parts of its length which screen views of nearby housing. Its regular boundary features and pavements accentuate its long straight dimensions, emphasising the generous depth of the adjoining rear gardens.

9. The two structures opposite the appeal building are set back from the road and are not readily visible in the wider street. Although the appeal building is partly visible in views from the west, it is screened from all but close views from the east. I acknowledge that it is two storeys in form, with a first-floor area accessible from internal stairs. Even so, viewed from the west, its ridge line sits below the eaves of the appeal dwelling and is only marginally higher than the eaves of No.48 Wynnstay Lane seen to its rear. Seen from the east, the structure appears taller in closer views, but, owing to the slight rise to the west, its height is in proportion to the heights of dwellings along Stancliffe Avenue seen in the same view. Although visible, the existing appeal building is relatively unobtrusive. The predominant absence of visible built form on Mareilian Avenue therefore contributes to the expansive and spacious feel of the street.

10. The proposal would considerably increase both the height and width of the appeal building. Although it would be no further forward in the street, the resulting ridge height would visibly and incongruously project above the dwelling to its rear when viewed from the west and that of the appeal property and others on Stancliffe Avenue when viewed from the east, in contrast to the largely inconspicuous form of the existing structure. In close views, its increased height and bulk would be dominant and imposing features in the street. Given its scale and height, and the enclosing effects of the appeal property's existing garden boundaries, it would be perceived as a large stand-alone dwelling within a narrow plot which would be at odds with the more generous layout of dwellings locally and which would unacceptably erode the spaciousness of the street.

11. I have been made aware from the parties' submissions, and the comments of neighbours, that a previous appeal relating to proposals for a dwelling on the same site was dismissed. However, I have not been provided with details of that case to enable me

to draw any meaningful comparisons. I have therefore determined this appeal on its own merits.

12. I have found the intended development harmful for the reasons given. However, had I found it acceptable, I consider that its occupancy could have been controlled by a planning condition.

13. I conclude that the proposal would harm the character and appearance of the area and so would conflict with UDP Policies PS2 and GDP1 which seek to ensure that development must not materially detrimentally affect, amongst other things, landscape/townscape character and should ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.

Conclusion

14. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

15. 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 this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

N Jones

INSPECTOR