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Mrs S Williams
Wrexham County Council
P O Box 1290
Lampit Street
Wrexham
LL11 1WL

Your Ref / Eich Cyf P/2008/0753

Our Ref / Ein Cyf APP/H6955/A/08/2087087/WF

Date / Dyddiad 30 January 2009

Dear Mrs Williams

Town and Country Planning Act 1990

Appeal by Mr Howard Pearson

Site at Land Adjacent To 1 Whiteoaks, Bwlchgwyn, Wrexham , LL11 5UJ

Amgaeaf benderfyniad yr
Arolygydd ar yr apêl uchod.

I enclose the Inspector's decision on
the above appeal

Yn gywir

Yours faithfully

Rhys Rigby

Rhys Rigby
Cofrestrfa - Registry

Rydym yn Croesawu Gohebiaeth yn Gymraeg a Saesneg
We Welcome Communications in English and Welsh



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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 15/12/08

Appeal Decision

Site visit made on 15/12/08

gan/by Iwan Lloyd BA BTP MRTPI

Arolygydd a benodwyd gan y Gweinidog
dros yr Amgylchedd, Gynaliadwyedd a
Thai, un o Weinidogion Cymru

an Inspector appointed by the Minister for
Environment, Sustainability and Housing,
one of the Welsh Ministers

Dyddiad/Date 30/01/09

Appeal Ref: APP/H6955/A/08/2087087

Site address: Land adjoining No1 Whiteoaks, Bwlchgwyn, LL11 5UJ

The Minister for Environment, Sustainability and Housing has 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 outline planning permission.
- The appeal is made by Howard Pearson against the decision of Wrexham County Borough Council.
- The application Ref BRY P/2008/0753, dated 2 July 2008, was refused by notice dated 12 September 2008.
- The development proposed is the erection of a detached dwelling.

Decision

1. I dismiss the appeal.

Preliminary Matters

2. The planning application was submitted as summarised above, but this was revised with a subsequent planning application dated 25 July 2008 which was described as "the erection of 1 detached dwelling", which included siting to be considered at outline stage. A plan accompanying the planning application was submitted showing a dwelling similar in dimension to the building which previously existed on a plot on the opposite side of the estate road and located behind No. 2. I have therefore considered this appeal on that basis.

Main issue

3. I consider the main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is located on the approach to Whiteoaks a residential cul-de-sac, and comprises open land within the control of the appellant which is adjacent to No 1. The appeal land is predominantly level lawn and grass and is surrounded on three sides by roads and lane. The depth of the plot shown on the submitted plan extends from Whiteoaks estate road and encroaches onto the lane located to the east, and this was confirmed during the site inspection where measurements

were taken and agreed by the parties. Consequently, this would result in some realignment of the lane onto the grass verge.

5. The planning application is reported to be 450m² and is 50% larger than the site which was previously dismissed at appeal in 1990. The material difference would be that the depth of the site is increased from 10m to 16m. Notwithstanding, that previous appeal decision, I consider the appeal site appears exposed on three sides because of its location, visual prominence and open layout. Whatever the proposed dwelling which may be designed for the plot, in my view, it would appear isolated and visually prominent lacking in private areas which could be adequately screened from the adjoining highways. Due to the plot's juxtaposition, it appears as an island strip of land with a slender piece joining No. 1 Whiteoaks. Despite the increase in depth secured since the previous appeal, I am unconvinced that the narrowness of the plot as presented would provide an adequately sized space that is compatible with the depth and size of adjoining plots and houses in the estate and in the general area.
6. Even if I were to consider the plot size and footprint of the dwelling shown as acceptable, boundary walls and screen fencing required to make private an exposed area of land would erode the open qualities of the estate and surrounding area. The siting of the building which forms part of the submission shows an elongated dwelling with narrow gable to Brymbo Road and comparable set-back to that of No. 1 Whiteoaks. However, this layout reflects a former outbuilding which once stood on the opposite side of the road, where a new dwelling is under construction. The northern section of the proposal next to the drive is so limited in depth, that it could not add appropriate and useable living space associated with the dwelling. The proposed siting and footprint is limited and small in size and does not reflect the size of other dwellings under construction and established dwellings on the estate.
7. I accept that the dwelling under construction is located on a smaller plot, but that plot differs because it is only bound by a single road which curves around it, and consequently, its plot depth is more useable and developable than the appeal site. I have considered this appeal on its individual merits and whilst the previous appeal is material there are differences between the two. I have not been informed of the appellant's case as regards the fall-back position and how the grant of planning permission on appeal negates the existing use of land. No case has been put forward, but should it be that the site could be used as domestic curtilage associated with No. 1, this matter is not for determination in this S78 appeal. Even if it were, the building of a dwelling as submitted on an open and exposed plot at this location would be different in character to that of land solely used for domestic purposes.
8. I have also considered the examples of other developments located on small plots in the Borough, but none exhibit the same site characteristics as that of the appeal site which in this case, adjoins three roads. I have also considered the concerns of residents in relation to highway safety, and issues concerning the lane, but none outweigh my conclusion on the main issue.
9. The proposed dwelling would appear diminutive in size, isolated and exposed on this open plot surrounded by highways and lane. The restricted depth of the plot would result in the dwelling appearing cramped, and due to its visual exposure

appear incongruous, thereby harming the character and appearance of the area. Policy GDP1(a) of Wrexham Unitary Development Plan would be breached by the proposal in that the layout would not accord with the character of the site and would fail to make a positive contribution to the appearance of the locality.

10. I therefore conclude that the proposal would harm the character and appearance of the area. For the reasons given above I conclude that the appeal should be dismissed.

Iwan Lloyd

INSPECTOR