

The Planning Inspectorate

HOUSEHOLDER PLANNING APPEAL FORM WALES (Online Version)

WARNING: The appeal **and** essential supporting documents must reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/H6955/D/21/3271013

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Miss Kim Screeton

B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes

☐ No



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Wrexham County Borough Council

LPA reference number

RHO P/2020/0766

Date of the application

04/11/2020

Did the LPA issue a decision?

Yes

☒ No



Date of LPA's decision

13/01/2021

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes

☒ No



Address

3 Capel Seion Bank Street
Ponciau
WREXHAM
LL14 1EW

Is the appeal site within a Green Belt?

Yes

☐ No



Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes

☐ No



E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes

☐ No



Please enter details of the proposed development. This should normally be taken from the planning

application form.

(In retrospect) Installation of fence within the boundary wall of 3 Capel Sion, PONCIAU, WREXHAM, LL14 1EW.

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has;

1. Refused planning permission. ☒
2. Refused permission to vary a condition(s). ☐
3. Refused prior approval of permitted development rights. ☐

G. PREFERRED PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☒

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☒ No ☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☐ No ☒

2. Hearing ☐

3. Inquiry ☐

H. GROUNDS OF APPEAL

The grounds are set out in

☒ the box below

The refusal is based on:

The scale, design and materials of construction,

The boundary fence appears incongruous and has an unacceptable significant detrimental impact upon the character and appearance of both the converted Chapel and the street scene.

The boundary treatment fails to make a positive contribution to the visual amenities of the locality.

In response to this the scale of the fence being 2 meters in height is to provide privacy to what was a significantly exposed, what is now a residential property and in the form of a converted Chapel, which in its present form consists of 4 residential units. I do not regard the additional height to have a detrimental impact on the Chapel given the Chapel itself is in an elevated position and affords upper views of the building to the surrounding looking properties which you will see in the attached pictures (Capel Sion 1 and Capel Sion 2), the top of the front door upwards affords an unobstructed view with the current timber fence in situ. The only view covered with the fence, is in fact my private and personal space. The wrought iron gate, which has been welded into place by the developer with no ability to open as been maintained in situ as a feature in front of the timber fence I have installed. I do not regard the materials of construction, being timber, a natural and biodiverse material to be unacceptable, in fact, timber is far more environmentally friendly as an organic construction material, compared to that of alternative man made materials such as brick or metal. In relation to the street scene, firstly the area is a built up residential area widely exposed with very little privacy and security to its surrounding properties. The area has seen an increase in crime within recent months and over the last year with most commonly reported crimes during Jan 2021 being Violence and sexual crime

showing 15 cases reported, Anti-social behaviour 6 cases reported, Criminal damage and arson 4 cases reported and Public order 3 cases reported (taken from the North Wales Police data). With the exposure to my property I have come to feel increasing vulnerable with the lack of secure boundary. Furthermore, there are other fences of similar and or increased height in the immediate surrounding area to residential properties. The fence in fact affords immediately surrounding neighbours privacy themselves, should I be in the curtilage of my garden at any given time. The fence also affords me the privacy and security to undertake daily household tasks such as laundry and be able to dry this safely and privately within the boundaries of my property. The location of the residential dwelling at 3 Capel Sion is unique in terms of its location forming almost an island amongst three roads and as such can also be noisy. The fence being timber provides some noise absorption and assists when working nights as a prison officer at HMP Berwyn. The colour of the timber is in keeping with the existing brick wall and I have sensitively retained the original iron Chapel Gate to afford respect as an original feature. The wrought iron gate itself, has been welded into place by the developer with no ability to open. In terms of the reference to the 'loss of sunlight' as an objection by a neighbour, should this be confirmed to be the case, I would suggest that this would be minimal having observed even the spring sunshine, which would be less in the summer months due to the height of the sun, and on balance of my privacy and security, I would not accept this to be a reasonable for refusal of my application.

As a result of the refusal I have given some proactive thought to any potential alternatives, which unfortunately the local planning authority have not advised on, however if the appeal were to be dismissed in its current form, I would welcome consideration be given to an amended permission with condition to change the existing fencing adjacent to the highway only, to something which may be considered to have a lesser visual impact and a reduction in scale by allowing me the installation of privacy trellis which could be further softened by planting into the trellis, with the retention on the existing fence between my property and number 4 Capel Sion, which is the partition boundary. This would serve as a compromise in that I would be able to achieve at least some of the privacy and security which I very much need for my peaceful enjoyment living at the property and in order to increase the security of the property. Notwithstanding this would be an additional cost to myself, however the importance of my privacy and safety is paramount. Furthermore, I would be happy to reduce the height of the timber panel behind the wrought iron gate, to the height of the gate itself to achieve amore streamlined finish.

Have you made a costs application with this appeal?

Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;



CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:



CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.



I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before



the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

01. A copy of the application form sent to the LPA. ☒
02. A copy of the LPA's decision notice. ☒
03. Any other plans, documents or drawings relating to the application which were not sent to the LPA (this should not include any plans, documents or drawings relating to amendments to the application proposed after the LPA have made their determination). ☒

K. ADDITIONAL INFORMATION

- | | | | |
|---|-----|-----------------------------|-------------------------------------|
| Is flooding an issue? | Yes | ☐ No | ☒ |
| Does the development affect the setting of a listed building? | Yes | ☐ No | ☒ |
| Is the appeal site within an Area of Outstanding Natural Beauty (AONB)? | Yes | ☐ No | ☒ |
| Does the site lie within a Conservation Area? | Yes | ☐ No | ☒ |
| Does the site lie within green wedge? | Yes | ☐ No | ☒ |

L. OTHER APPEALS

- Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☒

M. NOW SEND

Send a copy to the LPA

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<http://gov.wales/topics/planning/appeals/make-an-appeal/sending-a-copy-to-the-council/?lang=en>

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 01. A copy of the original application form sent to the LPA.

File name: 3 Capel Sion Planning App.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 02. A copy of the LPA's decision notice.

File name: Refusal Capel Sion.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 03. Any other plans, documents or drawings relating to the application which were not sent to the LPA (this should not include any plans, documents or drawings relating to amendments to the application proposed after the LPA have made their determination).

File name: Privacy Trellis.jpg

File name: Capel Sion 1.jpg

File name: Capel Sion 2.jpg

Completed by MISS KIM SCREETON

Date 15/03/2021 14:02:05