
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/05/17

gan Iwan Lloyd BA BTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 06.06.2017

Appeal Decision

Site visit made on 03/05/17

by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 06.06.2017

Appeal Ref: APP/H6955/A/17/3169307

Site address: 20 High Street, Wrexham LL13 8HP

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 grant of planning permission subject to conditions.
 - The appeal is made by Mr. Matt Silas, Atlas One Chartered Surveyors against the decision of Wrexham County Borough Council.
 - The application Ref WRR P/2010/0870, dated 18/10/2010, was approved on 6/12/2010 and planning permission was granted subject to conditions.
 - The development permitted is conversion of un-used upper floors into five residential apartments.
 - The conditions in dispute are Nos. 4 and 5 which state that: "Prior to their installation on the building, drawings to scale 1:5 and 1:20 fully detailing all new or replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials, decorative/protective finishes, cross sections for glazing bars, sills, heads etc., method of opening and glazing type. The works shall only be carried out in strict accordance with such details as are approved" (No. 4) and "Prior to first use of the development, all external joinery shall receive a painted finish in accordance with a colour which has been submitted to and approved in writing by the Local Planning Authority. The colour of the painted finish shall not thereafter be changed without the prior written consent of the Local Planning Authority" (No. 5).
 - The reasons given for the conditions are: "To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area" (Nos. 4 and 5).
-

Decision

1. The appeal is allowed and the planning permission Ref WRR P/2010/0870 for conversion of un-used upper floors into five residential apartments at 20 High Street, Wrexham LL13 8HP granted on 6/12/2010 by Wrexham County Borough Council, is varied by deleting conditions 4 and 5 and substituting for them the following condition:
 - 4a) Notwithstanding the windows installed under this approval all new or replacement windows and doors shall be fully detailed on drawings scale 1:5 and 1:20 and shall be submitted to, and approved in writing by the local planning authority prior to their installation. The details shall fully describe the proposed materials, decorative/protective finishes, cross sections for glazing bars, sills, heads, method of opening and glazing type and treatment finish. The works shall only be carried out in strict accordance with such details as approved and shall be maintained as such throughout the lifetime of the said installed window and door.
-

Procedural matter

2. On 31 May 2017 Planning Policy Wales Technical Advice Note 24: The Historic Environment (TAN 24) was published which replaces Welsh Office Circulars 60/96 Planning and the Historic Environment: Archaeology; 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas; and 1/98 Planning and the Historic Environment: Directions by the Secretary of State for Wales. I do not consider that the main thrust of the changes alters the advice in so far as it relates to the proposal under consideration and therefore no prejudice would arise in dealing with the appeal on the basis of TAN 24.

Background and main issue

3. Planning permission has been granted for the conversion of upper floors at Nos. 19/20 High Street to five residential apartments. The appellant sought to obtain approval for replacement of new windows and colour treatment pursuant to planning conditions imposed on the planning permission, but those details were refused, and are now the subject of this appeal. The replacement windows are installed and are uPVC charcoal finished frames. Condition 4 refers to door details, but the submitted details solely relate to replacement windows and also excluding the windows facing High Street, as these do not require replacing at this stage. The appeal is considered on this basis.
4. The appeal site is located in Wrexham Town Centre Conservation Area. The appellant indicates that the appeal relates to the east, west and north elevations only of the building, and to replacement windows on the first and second floors of the Chester Street east/west elevations.
5. The main issue is the implications of permitting the submitted details would have on the character or appearance of Wrexham Town Centre Conservation Area.

Reasons

6. The appeal site is a three storey building on the corner of High Street and Chester Street with a northern elevation facing onto an alleyway and the western elevation onto the rear enclosed space and rooftops of adjacent buildings. The front south elevation which would remain unaltered has a date inscription 'RSJ 1928' which is believed to have been re-fronted at that time. This elevation has a modern shopfront and timber frame and rendered panels on the first and second floors and four sliding sash (six over six panes) windows.
7. The replacement windows facing Chester Street are at first and second floor levels. These are set back in their position from the ground floor façade of shopfronts. This part of the building is a red brick construction likely to be 19th century and had metal multi-paned windows, although these were not present during my visit and the replacement windows were installed. From what could be seen from street level these were multi-paned windows with divided semi-arched fanlight above, although I saw one square headed multi-paned window. The installed windows on the first floor were not visible from Chester Street.
8. The northern elevation incorporates the gable-end of the brick building. Metal windows divided in small panes with an arched fanlight design were incorporated in this elevation. The installed replacement windows relate to the first and second floors of this elevation. The replacement windows are uPVC 16 pane fixed light with a semi-arched divided pane fanlight.

9. Nine replacement windows are installed in the rear more concealed elevation. These particular windows have an opening light in the lower section and an arched fanlight design above.
10. The view from the public domain of the installed windows are somewhat fleeting from the Chester Street elevation given their set-back and height and degree of concealment by the frontage building incorporating the shops and the floor above them. The north elevation is passed by a short cut through to Henblas Street but on the other end it is restricted at times by gates. The windows are at first and second floor levels and would only be discernible if the receptor would look and study them at the point of passing them. The rear elevation is more concealed than the first two elevations looking over a yard.
11. I note that the Wrexham Town Centre Conservation Area and Management Plan (adopted in 2009) indicates that windows must be correctly proportioned, respect the existing openings and that repair is preferred to replacement. The method of opening of the window is important as well as the reveal and sectional glazing bars. The Management Plan indicates that the replacement of metal windows with uPVC is unacceptable regardless of the chosen pattern.
12. I note that the approved scheme allowed in principle replacement windows with a different pattern to that which appeared to exist. However, notwithstanding the in principle objection to uPVC, the installed units on the most prominent aspects of the building are not immediately identifiable as uPVC frames. These are suitably disguised and colour treated with a grained wood effect to appear subdued and neutral and conciliatory to the tone/colour of the brickwork. The pattern and depth of glazing bars run through the pane and are quite close replacements to those windows they substituted. The casual observer would not in my view detect a different material type given their height, distance and degree of concealment such that the significance of the conservation area is not harmed. The installed units do not undermine the legibility and historical significance of the conservation area as defined through its ages with long narrow burgess plots and later Victorian influence as portrayed by No. 20. The importance and significant heritage asset of the building in its context is preserved and, in my view, the installed windows units by their design, appearance and lack of visibility, preserve that significance.
13. I conclude that the implications of permitting the submitted details would preserve the appearance of Wrexham Town Centre Conservation Area, and would in turn not conflict with Policies GDP1 and EC7 of the Wrexham Unitary Development Plan.
14. I conclude that the submitted details should be approved, and I intend to delete the disputed conditions but substitute with a condition to control new windows and doors that could be replaced thereafter together with information on their colour treatment. This is needed in the interests of the visual amenity of the conservation area.
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 that this decision is in accordance with the Act's sustainable development principle, through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Iwan Lloyd

INSPECTOR
