



Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 1/10/12

Site visit made on 1/10/12

gan Siân Worden BA DipLH MCD MRTPI

by Siân Worden BA DipLH MCD MRTPI

Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad: 10/10/12

Date: 10/10/12

Appeal Ref: APP/H6955/A/12/2180932

Site address: Millbrook House, Overton Road, Bangor-on-Dee, Wrexham LL13 0BY

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 Jon Ainge against the decision of Wrexham County Borough Council.
- The application Ref BAN P/2012/0239, dated 27 March 2012, was refused by notice dated 13 July 2012.
- The development proposed is a two storey side and rear extension (to replace the existing conservatory) to form increased living accommodation and general re-modelling.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side and rear extension (to replace the existing conservatory) to form increased living accommodation and general re-modelling at Millbrook House, Overton Road, Bangor-on-Dee, Wrexham LL13 0BY in accordance with the terms of the application, Ref BAN P/2012/0239, dated 27 March 2012, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than five years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 3) Notwithstanding the approved plans no external door shall be installed in the porch until details of the appearance of the door have been submitted to and approved in writing by the Local Planning Authority. Only a door according with the approved details shall thereafter be installed and retained.
 - 4) The extension hereby granted permission shall not be occupied at any time other than for purposes ancillary to the residential use of Millbrook House, Overton Road, Bangor-on-Dee. For the avoidance of doubt it shall at no time be used or occupied as a separate dwelling.

Main Issues

2. I consider that the main issues in this case are;
- whether the proposed development would preserve or enhance the character or appearance of the conservation area at Bangor-on-Dee, and
 - the effect of the proposed development on the living conditions of the occupiers at School House with regard to outlook.

Reasons

3. The conservation area at Bangor-on-Dee covers the village core and includes the old bridge over the Dee, the parish church in its open setting and other buildings from various periods, including the twentieth century, built mainly from brick and sandstone. The appeal property is a detached, modern house just inside the conservation area boundary where the proposal is to build extensions to the side and rear.
4. The two storey extension proposed to the side would be set back from the existing front and rear elevations with a lower ridge height. It would therefore appear as subservient to the main dwelling. Constructed in materials to match the existing dwelling, with similar windows and in the same plain style the proposed development would accord with the character of the site and make a positive contribution to the appearance of the nearby locality. It would therefore comply with Policy GDP1 of the Wrexham Unitary Development Plan 1996-2011 (UDP), adopted 2005. It would also preserve elements which contribute to the unique character of the conservation area in line with UDP Policy EC7 which reflects the statutory test.
5. The windows of two of the principal rooms at neighbouring School House face towards the appeal property and would have a clear view of the proposed development as they do now of the existing elevation. There is a sizeable gap between the two dwellings, however, and School House would be separated from the proposed extension by both its own and the neighbouring driveway as well as a small lawned area. I appreciate that the side wall of Millbrook House would be approximately 3.3m closer to the windows at School House. To my mind, however, the distance remaining between the dwellings together with the similar form and appearance of the proposed elevation to the existing, would be sufficient to ensure that there would not be a harmful overbearing effect on the neighbouring house or garden or a significant loss of light. I have noted the 13m separation distance advised in the Council's *House Extensions* local planning guidance note but this is a guideline, rather than a rule, which will not be applicable in all circumstances.
6. The windows proposed in the side elevation would serve a utility room and en-suite bathroom with that in the guest lounge being at a high level. I do not consider, therefore, that there would be a significant increase in overlooking or loss of privacy at School House. Neither would the proposed development be so close as to detract from the attractive appearance of School House and its garden.
7. The extension proposed to the rear would be of two storeys with walls flush with the existing elevations; its footprint would be a little bigger than that of the conservatory it would replace. Whilst not projecting outwards any further than the existing gabled addition it would be slightly wider and higher than this. The access way to the dwelling behind, Kenilworth, runs alongside the appeal property but the vegetation along the boundary between the two properties is mature such that the rear of

Millbrook House is well-screened and not clearly visible. In any event I do not consider that the rear extension proposed would be detrimental.

8. At the time of my visit there were two vehicles in the drive at Millbrook House leaving room for one more. There is also a gravelled area inside the front boundary which could be used by a car if need be. As long as the hedge on the boundary was kept trimmed the proposed development would not reduce parking provision; it would be sufficient and there would be no need for the occupiers to park on the road. I am aware that the appeal dwelling has previously been extended and that there is planning permission for a further addition which has not yet been constructed. The plot would be sufficiently large to accommodate this development, however, and the resultant dwelling would not harm the character or appearance of the surrounding area. I have taken all the matters raised into consideration but not found any compelling reasons to dismiss the appeal.
9. In the light of Circular 35/95 *The Use of Conditions in Planning Permissions* I have imposed those suggested by the Council which will protect the appearance of the existing dwelling and the conservation area. The proposed development would not be provided with an access point, parking or amenity space suitable for a separate dwelling and the prevention of its use as such is to ensure the living conditions of occupiers.
10. For the reasons given above I conclude that the appeal should be allowed.

Siân Worden

Inspector