
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/06/21

gan **C MacFarlane, BSc (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 19/7/21

Appeal Decision

Site visit made on 14/06/21

by **C MacFarlane, BSc (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 19/7/21

Appeal Ref: APP/H6955/A/21/3273501

Site address: 17 Duke Street, Chirk, Wrexham, LL14 5LB

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 outline planning permission.
 - The appeal is made by Mrs Lisa McNeil against the decision of Wrexham County Borough Council.
 - The application Ref: CHI P/2021/0012 dated 15 October 2020, was refused by notice dated 18 March 2021.
 - The development proposed is outline application (all matters reserved) for one dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development on the application and appeal forms is 'outline planning with all matters reserved'. I have amended the description of development in the banner heading above to ensure that it accurately captures the scope of the proposal, which also reflects that used in the Council's decision notice.
3. The application was submitted in outline, with all matters reserved for determination at a later stage, and I have dealt with the appeal on this basis. A plan was submitted with the application, which includes the siting of the dwelling and I have considered this as indicative.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is a roughly triangular corner plot, previously part of the garden of 17 Duke Street, which is located within an L-shaped residential cul-de-sac. The immediate area is characterised by groups of terraced and semi-detached two-storey dwellings of similar age and appearance, that are set back from the highway in a linear arrangement. Despite some minimal variations in the setback of each group,
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and the right-angled alignment of the highway, there is a uniformity of appearance and regularity of layout which contributes to the distinctive character of Duke Street.

6. The site occupies a central position within Duke Street which, with its undeveloped nature, provides a sense of openness in what is otherwise a built-up residential area. The proposal would significantly reduce this open aspect through the introduction of built development on a considerable portion of the site. The development of a detached dwelling would also be out of keeping with the surrounding area. Although 1 Duke Street may have the appearance of a detached property when viewed from certain points on the highway, this is not typical of the general character of the area and its frontage facing onto Duke Street is clearly that of a semi-detached dwelling.
7. The indicative plan and parameters submitted with the application show a two-storey detached dwelling positioned at the widest part of the plot, close to the site boundary on three sides. Although this would be marginally forward of the building line of the group of dwellings to the north, it would be substantially forward of that of 16 Duke Street and its adjoining dwelling. I acknowledge that as the application has been submitted in outline, the eventual design and position of the proposed dwelling could differ. However, due to the constraints placed on the site because of its small size and irregular shape, the scope for significantly different siting would be limited. The proposal would therefore fail to respond to the surrounding pattern of development and would appear cramped within the site, with its prominent location adding further to the incongruity of the dwelling.
8. The resultant effect would be a form of development that is discordant and visually intrusive in the street scene, with an erosion of the openness that is characteristic of the area.
9. The appellant refers to other examples of dwellings developed on small plots, of which I have taken account. However, I do not have full details of these developments and the circumstances that led to these being accepted. Based on the information provided, there appears to be differences regarding scale, siting and relationship to surrounding properties and the street scene. I therefore cannot be certain these examples are directly comparable to the appeal proposal and, in any event, I must consider the proposal on its own merits.
10. Policy GDP1 of the Wrexham County Borough Council Unitary Development Plan (UDP) sets out several criteria which apply to all new development. Although the application has been made in outline, this does not negate the need to ensure that the proposal conforms with the requirements of the UDP, albeit with certain detailed matters reserved for determination at a later date.
11. I conclude that the proposal would be harmful to the character and appearance of the surrounding area and conflicts with UDP Policy GDP1, which seeks to ensure development accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.

Other Matters

12. I acknowledge the proposal would be located close to existing facilities and services and would contribute towards housing supply in the area. However, the development of one dwelling would make only a modest contribution, which would not outweigh the harm I have identified above. I note the lack of objections received, and references to support from Chirk Town Council and a Council Member. However, the absence of objection is not in itself a reason to grant planning permission and I have found the proposal unacceptable for the reasons set out above. I also note the appellant's

concerns regarding the Council's handling of the planning application, but this does not alter my assessment of the planning merits of the proposal.

13. In reaching my decision, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

Conclusion

14. For the reasons given above, the appeal is dismissed.

Claire MacFarlane

INSPECTOR