

Report of the Chief Officer Economy and Planning

Application Reference

P/2023/0883

Applicant

MR KEITH JONES

Agent

CITY ARCHITECTURAL MR KEITH JONES

Site Address

61 BORRAS ROAD WREXHAM LL12 7EN

Description of Development

DEMOLITION OF EXISTING GARAGE AND EXISTING REAR EXTENSION AND
ERECTION OF SINGLE STOREY REAR EXTENTION TO CREATE ANNEXE

Ward

Acton and Maesydre

Community

Acton

Recommendation

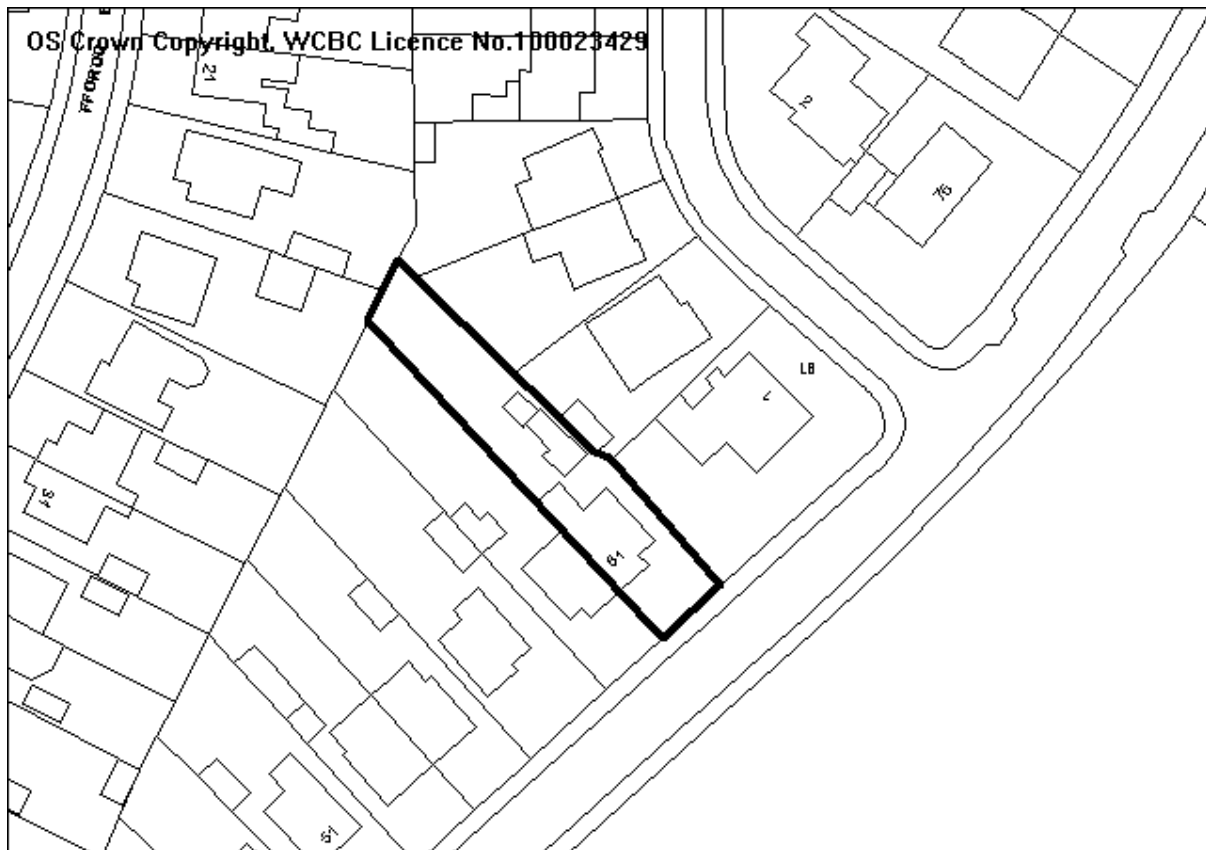
Grant

Officer Report

Site Description

That application site is a semi-detached dwelling fronting onto Borrass Road, Wrexham.

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Proposal

Planning permission is sought for the demolition of a single storey garage and extension and the erection of a single storey rear extension to the dwelling to create annex accommodation. The floor plan of the extension would be 'L' shaped, projecting just over 4m from the rear elevation of the existing dwelling adjacent to the boundary with No. 59 Borrass Road and, including the projecting overhang of the roof, 11m from the rear elevation of the existing dwelling adjacent to the boundaries with Nos.1 and 2 Ffordd Dyfed. The submitted plans also show the provision of a decked area to the side (south-west) and rear (north-west) of the extension.

The demolition of the garage has already taken place. By itself, this would not require planning permission.

Reason for Committee Determination

Local Member Call-In.

Site History

No recent site history.

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Development Plan

Local Development Plan

Within a defined settlement limit. Policy DM1 applies.

Consultation Responses

Community Council:

No observations to make.

Local Member:

Councillor Becca Martin: Requests the application be determined by Planning Committee.

Councillor Corin Jarvis: Has no observations to make.

Highway Officer

Raises no objection. Recommends conditions be imposed to:

1. Restrict the use of the extension to a purpose ancillary to the existing dwelling;
2. Require the access to be hard surfaced for 5m behind the highway boundary; and
3. To require an Aco drain or similar to be installed to prevent surface water flowing from the application site onto the highway.

Publicity Undertaken:

Notification Letters sent to the owners/occupiers of 7 nearby properties.

Responses to Publicity:

2 representations received from the same household expressing the following concerns:

1. The length and height of the extension;
2. Loss of privacy;
3. Overshadowing;
4. Flooding;
5. Boundaries and security; and
6. Devaluation of property.

Principle of Development

The site lies within defined settlement limit of Wrexham. The LDP does not have any policies that impose specific restrictions on householder development. The principle of development is therefore acceptable.

Design

The proposed extension would be single storey with a flat roof. Views of the extension from Borrass Road would be limited to a small part that would project approximately 2m beyond the side elevation of the existing dwelling. However, the extension would be set back behind the principal elevation of the dwelling

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and approximately 18 metres back from the boundary with the highway. From this vantage point, it would be seen as a clearly subsidiary addition to the existing dwelling. Despite having a flat roof, its overall form and appearance would be broadly in keeping that of other outbuildings in the area notably the garages of No.1 Ffordd Dyfed and No.75 Borrass Road.

Having regard to the above, the proposed extension would not detract from the character and appearance of the existing dwelling or the wider street scene. It therefore accords with policy DM1.

Impact on Neighbouring Amenities

LPGN20 advises that rear extensions within 1 metre of the boundary of neighbouring properties should be limited to a maximum projection of 3.5m. It goes on to advise that an extension exceeding this should be stepped in by 1 metre for every additional 1m of projection from the rear elevation. The proposed extension would not accord with this guidance. However, LPGN20 was last updated in 2010 prior to changes to householder permitted development rights in Wales in 2013. Permitted development rights permit the erection of single storey rear extensions without planning permission that project up to 4 metres from the rear elevation of the original dwelling, subject to certain other conditions also being met, such as overall height.

Permitted development rights allow single storey extensions to be erected adjacent to the boundaries of neighbouring properties. LPGN20 also provides guidance rather than applying rigid standards. Therefore the fact an extension would project by more than 3.5 metres from the rear elevation of a dwelling is not, in itself, a valid or sustainable reason to refuse planning permission. The impact that a proposed extension would have on the living conditions of neighbouring occupiers must be considered on a case by case basis.

The application site shares a boundary with 7 other residential properties. The separation distances and the relative position of proposed extension and decked area to Nos. 5 and 7 Ffordd Dyfed and Nos. 23 and 25 Ffordd Elfed are such that there would be no unacceptable impacts to the living conditions of the occupiers of those properties by way of loss of light, privacy or visual over-dominance. The proposed extension would be much closer to Nos. 59 Borrass Road and to 1 and 3 Ffordd Dyfed.

59 Borrass Road

An existing single storey rear extension lies immediately adjacent to the boundary with No.59 Borrass Road. It projects 4m from the rear of the main dwelling and is approximately 3.3m high. The overhanging roof design of the proposed extension means it would project just over 4 metres adjacent to the boundary with No.59. However it would be the same height as the existing extension. Despite the overhanging roof, the proposed extension would not result in any materially greater impact on the living conditions of the occupiers in terms of daylight or outlook.

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The part of the extension projecting beyond 4 metres from the rear of the dwelling would be approximately 3.5m from the boundary and would include a side facing patio style window. There is a fence approximately 1.8m in height along the boundary. The floor level of the extension would be approximately 0.5m higher than the existing ground level which would result in some overlooking of the rear garden of No.59. However, some overlooking already occurs from the window in the rear of the existing single storey extension as well as from first floor windows of neighboring properties.

The proposed decked area would have a finished floor level 0.4m above the ground level of the existing garden, which is 0.1m above permitted development rights. The additional 0.1m in floor level would not result in a materially greater degree of overlooking. Moreover, as noted above, the rear garden of No.59 is not entirely private at present, with a degree of overlooking already occurring.

Having regard to the above, the proposed extension would not have an unacceptable impact on the living conditions of the adjoining occupiers.

1 Ffordd Dyfed

The relative position of the proposed extension to the habitable windows of No.1 Ffordd Dyfed would not give rise to any unacceptable harm to the living conditions of the occupiers of the property by way of loss of daylight or visual overdominance.

The proposed extension would have a window in its front/south east facing elevation. The window would be orientated at 90 degrees to the boundary so would not permit direct overlooking of the garden of No.1.

3 Ffordd Dyfed

The extension would be approximately 0.6m from the boundary with No. 3 Ffordd Dyfed. The boundary is enclosed by a fence of 1.5m in height. There is also a second fence of 2m in height set approximately 0.3m into the garden of No.3 Ffordd Dyfed which runs parallel to the boundary.

The ground level of the rear garden of No.3 Ffordd Dyfed is similar to that of the application site, however closer to the dwelling itself, it is 0.3m lower. No.3 Ffordd Dyfed is also built on ground approximately 0.3m lower than the application site. The dwelling would be approximately 9m from the side elevation of the extension. LPGN20 guidance advises a distance of 13 metres.

There is an existing shed and outbuilding in the garden of No.3 Ffordd Dyfed adjacent to the boundary with the application site. Both are just over 2m in height. Viewed from No.3 Ffordd Dyfed, the majority of the extension would be behind the shed and outbuilding, albeit being approximately 1m higher. However the proposed extension would project approximately 1m further to the north-west and the neighbour's outbuilding. Despite this, the existing outbuildings and fence would largely obscure views of proposed extension. The additional height of the

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extension and the modest projection beyond the rear of the neighbour's garage would not result in significant loss of light to the garden or habitable rooms of No.3 Ffordd Dyfed nor would it be visually overbearing.

The extension would have a patio style door in the rear (north-west) facing elevation. This would be at right angles to the boundary with No.3 Ffordd Dyfed. This, together with the existing boundary treatment would ensure significant overlooking would not occur.

The extension initially proposed a window serving a habitable room that would have faced immediately towards the rear elevation of the shed of No. 3 Ffordd Dyfed. Although the shed would have prevented significant overlooking of the rest of the garden, some loss of privacy would have occurred. The applicant has therefore amended the plans to omit the window in favour of one in the front (south-east) facing elevation of the proposed extension.

The proposed decked area would be approximately 1m from the boundary between the application site and no.3 Ffordd Dyfed. This distance, together with the 2m fence situated within the garden of No.3 Ffordd Dyfed would be sufficient to prevent any significant overlooking occurring. Moreover, as with No.59 Borrass Road, the extent of overlooking from the proposed decked area would not be materially greater than the overlooking that would occur from a decked area constructed within permitted development limits.

Noise

The objector has raised concerns about noise. There would inevitably be some noise when construction works are taking place, however these would be limited in duration. Moreover, construction noise would unlikely to be materially worse than if the applicant were to choose to erect extensions or outbuildings that fell within permitted development limits. There are controls under other legislation should a statutory noise nuisance occur.

It is considered that the proposed development would not give rise to a material increase in the noise levels associated with the normal domestic occupation of a dwelling and its garden. Should excessive noise be generated, this would be as a result of the behaviour of the occupiers of the property rather than being caused by the location or design of the proposed extension itself, and controls are in place under other legislation to deal with this matter.

Having regard to the above, the proposed extension would not unacceptably harm the living conditions of the occupiers of neighbouring properties. It therefore accords with policy DM1.

Highway Considerations

The maximum parking provision for the existing dwelling and as extended would be 3 spaces. The existing driveway can accommodate 3 vehicles.

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The existing driveway is surfaced with loose bound gravel. The Highway Officer has recommended that suitably worded conditions be imposed to require the driveway to be surfaced with hardbound material and for measures to be installed to prevent surface water from flowing from the application site onto the highway.

Circular 016/2024: The Use of Conditions for Development Management states conditions must be necessary and relevant to the development to be permitted. The application does not propose any alterations to the vehicular access. It is also unlikely to materially change the number of vehicular movements using the access. The conditions recommended by the Highway Officer are therefore not necessary nor do they relate to the development proposed.

Having regard to the above, the proposed development would not give rise to parking or highway safety concerns. It therefore accords with policy DM1.

Natural Environment

The application is accompanied by statement identifying existing green infrastructure as the garden of the site, including a lawn, shrubs and some trees. However, at the present time the applicant is undertaking work in the area garden and the lawn has been excavated. These works do not require planning permission. Aerial photographs confirm the rear garden was formerly occupied by a lawn. The front garden is hard surfaced. The biodiversity of the site was and is likely to be low.

The property benefits from a sizeable rear garden that would remain largely undeveloped even if the proposed extension were to be built, with ample opportunities to implement measures to deliver a net benefit to biodiversity. The applicant proposes a number of measures that would deliver a net benefit to biodiversity, including native species shrub planting and provision of habitat for hedgehogs, birds and insets. The implementation of these measure could be secured by a suitably worded condition.

Having regard to the above, the proposed development accords with paragraph 6.4.5 of PPW12.

Drainage

The objector has raised concerns about flooding. The proposed extension would not result in a significant increase in hard surfacing within the garden of the property than would previously have been the case or that could be undertaken within permitted development right limits.

Other Considerations

The objectors have raised concerns relating to boundaries and security. The application proposes no changes to existing boundary treatment and would not result in neighbouring properties being any less secure than they are at present.

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Any damage caused to the boundaries of neighbouring properties during construction works would be a private/civil matter.

Concerns regarding the impact of a development on the value of a neighbouring properties is a private matter and is not a material planning consideration.

Conclusion

The proposed extension would be appropriate in terms of its design and would not result in material harm to the living conditions of the occupiers of neighboring properties. In such terms it accords with the relevant LDP policies.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
PL03 Revision A
3. Before the development hereby permitted is substantially complete, measures to deliver net benefit for biodiversity (NBB) shall be implemented in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter maintained for the lifetime of the development.
4. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be inserted in any part of the north-east facing elevations of the extension hereby permitted other than the windows shown on drawing No. PL03 Revision A
5. The extension shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling house known as 61 Borrass Road, Wrexham, LL12 7EN.

Reasons

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

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2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
3. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. In the interests of the amenity of future occupiers of the accommodation in accordance with policy DM1 of the Wrexham Local Development Plan.