

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 3 OCTOBER 2022

APPLICATION NO:
P/2022 /0512

LOCATION:
THE PADDOCK OLD WREXHAM
ROAD GRESFORD WREXHAM
LL12 8UA

DATE RECEIVED:
23/03/2022

COMMUNITY:
Gresford

DESCRIPTION:
GOSOD DECIN A CHODI SIED (ÔL-
WEITHREDOL) / ERECTION OF
DECKING AND SHED (IN
RETROSPECT)

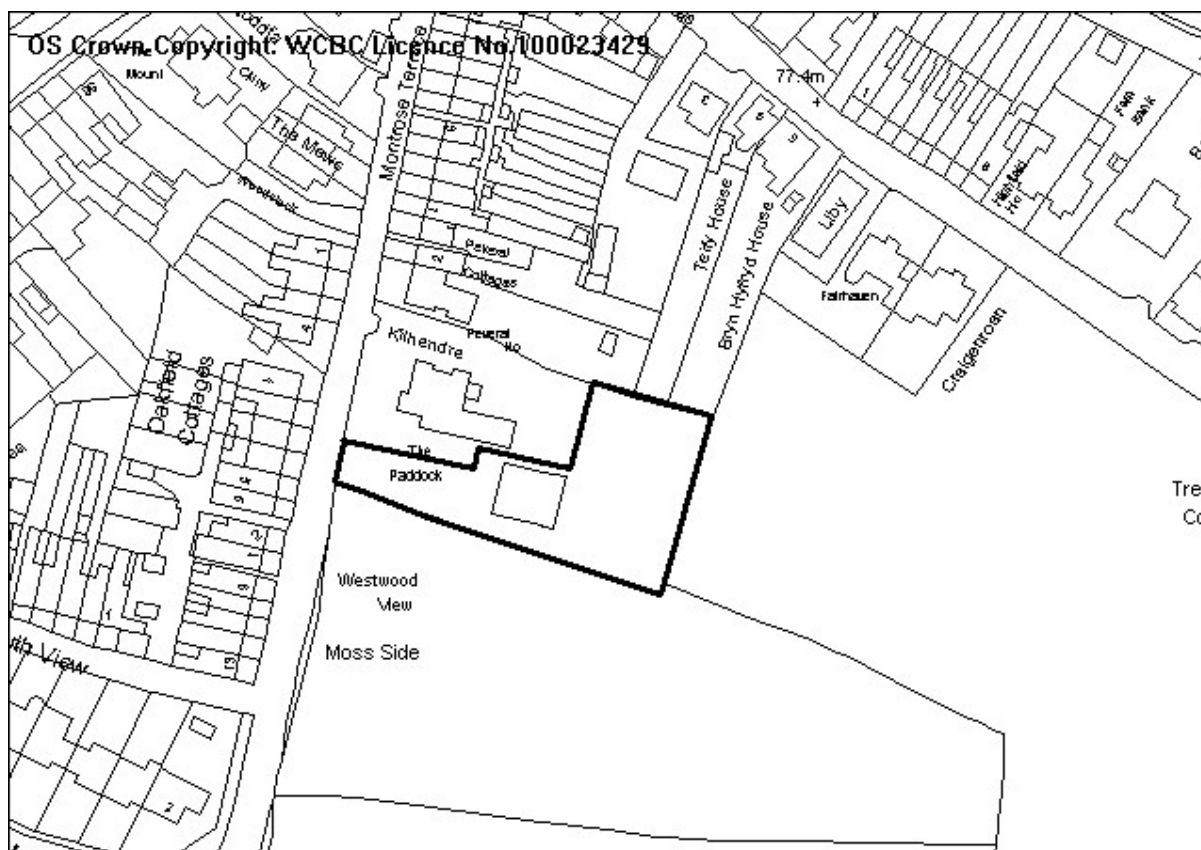
CASE OFFICER:
SJG

WARD:
Gresford East and
West

AGENT NAME:
MRS ELAINE WONG

APPLICANT(S) NAME:
MRS ELAINE WONG

THE SITE



PROPOSAL

As above

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The decking is at the rear of the dwelling and measures 8m deep and 6.3m wide. At its highest point it is 2 metres above ground level. In the north-east corner of the decking is a garden shed in use as a summerhouse.

HISTORY

None.

DEVELOPMENT PLAN

The site is within settlement limits as set out in the Wrexham UDP. Policy GDP1 is relevant, together with LPGN 20 Extensions.

CONSULTATIONS

Gresford Community Council

Not a good look – out of keeping & members do raise an objection and permission should be refused.

Notified about changes to description to include reference to proposed shed 25.08.22. Refer back to previous objection.

Local member

Notified 6/6/2022

Notified about changes to description to include reference to proposed shed 25.08.22

Neighbours:

The owners/occupiers of 4 properties notified 6/6/2022

Notified about changes to description to include reference to proposed shed 25.08.22

1 objection received

- It was built without prior planning permission.
- The windows from the building look directly into our garden and it should not be at that elevated level.
- There is noise pollution that comes from the building so not sure if it is used on a permanent basis or not.
- It is an eye sore that should not have been built in the first place until the correct process was followed and the planning department provided their guidance.

1 objection received following notification letter of 25.08.22 expressing the following concerns:

- Overlooking/loss of privacy;

- Noise

SPECIAL CONSIDERATIONS

Background: The works have already been undertaken. Photographs showing the development are included below:





Appearance: The decking and shed are at the rear of the property and are not visible from the road or public viewpoint. The overall appearance of the development is reflective of its use ancillary to a dwelling and does not detract from the character of the site or wider locality.

Residential amenity: The position of the decking and shed relative to the boundaries of the application site are such that the development does not give rise to loss of light or prove overbearing to the occupiers of adjacent properties.

The position of the decking and shed relative to the boundary of the garden boundary to the north, together with the wall that encloses that boundary ensure that the proposals do not adversely impact upon the standard of privacy afforded to occupiers of the 3 dwellings, Peveral House, Old Wrexham Road, Teify House (no.4 Vicarage Lane) and Brynhyfryd House (no.5 Vicarage Lane).

The development does afford limited views into the garden of the property Kilhendre, Old Wrexham Road. Whilst overlooking is restricted due to the position of the development relative to the rear boundary of Kilhendre and the existing fence that encloses it, it nevertheless does introduce overlooking that otherwise wouldn't occur. Whilst the loss of privacy is not significant, it is nevertheless considered that some additional screening on the north side of the decking should be introduced to preserve the standard of amenity afforded to occupiers of Kilhendre. This could be achieved by replacing the two

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existing glazed panels than enclose the decking with two solid panels or obscure glazed panels that are 1.8m high from the floor level of the decking. This can be secured by condition.

Noise: The shed is currently in use as a summerhouse which is a use incidental to that of the main dwelling. Whilst noting the concerns regarding noise, there is no reason to believe that approval of the development will itself give rise to significant noise. Levels of noise within the curtilage of a domestic property are down to the behaviour of the owners/occupiers of the property. This is a matter outside of the scope of Planning control, however action against statutory noise nuisance can be taken under the provision of the Environmental Protection Act 1990.

CONCLUSION

Subject to the additional screening discussed above, the proposal complies with policy GDP1.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be removed within 28 days of a failure to meet any one of the requirements set out in i) to iv) below:

i) Within 12 weeks of the date of this decision details of a screen of 1.8m high (as measured from the finished floor level of highest part of the decking) that shall be erected along the northern edge of the decking have been submitted for the written approval of the local planning authority;

ii) If within 20 weeks of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Welsh Ministers

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted details shall have been approved by the Welsh Ministers

iv) The approved screen has been full erected in accordance with approved details within 12 weeks from the date of approval in writing by the Local Planning Authority or, in the event of ii) and iii) above, by the Welsh Ministers.

Upon erection of the screen, it shall thereafter be permanently retained in strict accordance with the details as approved.

REASON(S)

1. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
