

Report of the Chief Officer Planning and Regulatory – 5 September 2022

APPLICATION NO:
P/2022 /0189

LOCATION:
OAKDALE PANT LANE GRESFORD
WREXHAM
LL12 8HB

DATE RECEIVED:
24/02/2022

COMMUNITY:
Gresford

DESCRIPTION:
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CYNLLUNIO P/2020/0816 I DIWYGIO
CYNLLUNIO CYMERADWY /
VARIATION OF CONDITION 2 OF
PLANNING PERMISSION
P/2020/0816 TO AMEND APPROVED
PLANS

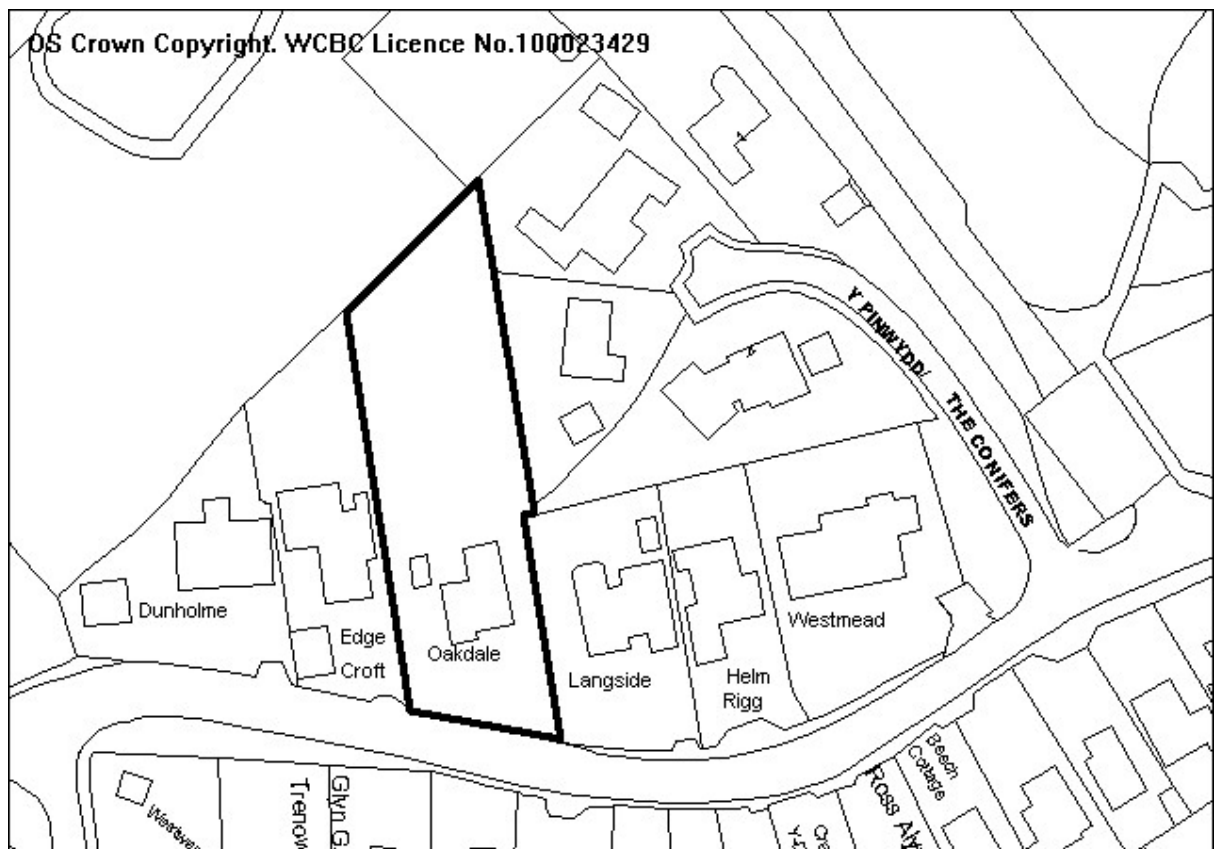
CASE OFFICER:
MP

WARD:
Gresford East and
West

AGENT NAME:
A OATES

APPLICANT(S) NAME:
R TYSON

THE SITE



PROPOSAL

As above. The application seeks to substituted the previously approved plans for amended plans that make the following changes:

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External Changes

Front elevation

- New sky lights to the middle
- Smaller window to the right front dormer
- Change to the door design. Door relocated to the centre with two slim line windows either side in place on an off-centre door and window.
- Windows to the side extensions changed from one where the top follows roof profile to a horizontal top

Rear elevation

- Easterly most dormer removed and replaced with roof light.
- Westerly dormer and one rooflight replaced by two dormers.
- Cladding to the single storey extension to match the front elevation

Side Elevation (North-East Facing)

- Cill height of ground floor bathroom window lowered from 1.7m to 1.1m
- Cladding added to side elevation of front extension.

Side Elevation (South-West Facing)

- Side extension increased in length and shown continuing up to utility room door.
- Two slim line full length windows in the side elevation of the rear extension replaced by one window with 0.5m cill height
- First floor side facing bedroom window increased in side
- Cladding added to side elevation of front extension

Internal Changes

Ground Floor

An internal wall separating the utility room from a store room removed thus providing for an enlarged utility room

First Floor

- En-suite added to the rear facing bedroom;
- Two en-suite rooms merged to provide a bathroom;
- Bathroom changed to an en-suite.

HISTORY

P/2018/0713 DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 2 DWELLINGS AND ACCESS ARRANGEMENT. Refused 26/10/2018.
Appeal dismissed 11/9/2019

P/2020/0816 ESTYNIAD LLAWR CYNTAF I'R BUNGALO, ESTYNIADAU BLAEN A CEFN, A CODI ADEILAD GAREJ / FIRST FLOOR EXTENSION TO

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BUNGALOW, FRONT AND REAR EXTENSIONS AND ERECTION OF GARAGE. Granted 24/03/2021

P/2022/0189 TYSTYSGRIF DATBLYGIAD CYFREITHLON AR GYFER GOSOD FFENESTR I OCHR Y BLAENLUN / LAWFUL DEVELOPMENT CERTIFICATE FOR INSERTION OF WINDOW IN SIDE ELEVATION.

Withdrawn

DEVELOPMENT PLAN

Within settlement. Policy GDP1 applies.

CONSULTATIONS

Community Council

Object due to:

- The impact on the privacy and amenities of the neighbours
- The need to protect the amenities of the neighbours.
- Planning having been previously refused having regard to the detrimental effect that being overlooked would have on neighbours living conditions.

Local Member

I have received objection from the next door property who will be affected by this retrospective application to install an additional window to the property.

The neighbour's objection would be that this window on the east elevation will overlook a private area of the garden/patio area of their property. The resident states that this will have a negative impact on both her welfare and that of her husband.

The neighbour states that the window does open and although obscure she could still make out silhouetted persons whilst in her garden so feels that this reverse must be true.

The resident also states that the window is of a larger frame than the plans submitted.

The neighbour is extremely concerned about the approval of this window.

It has been requested and I was told that this would be coming to committee for consideration. I request that this is still the case, to allow both party's views to be considered.

Neighbours

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The owners/occupiers of 4 neighbouring properties notified 2/03/22. The same neighbours were also notified on 21/03/22 in respect of the receipt of amended plans.

Further notification took place on 13/07/22 to confirm changes to the description of the development so that the application deals with all differences between the previously approved plans and the amended plans.

6 representations received expressing the following concerns:

- Additional overlooking/loss of privacy;
- Loss of outlook;
- Overbearing;
- Special consideration should be given to a sick/disabled neighbour

SPECIAL CONSIDERATIONS

Background: Planning permission was granted for the proposed extension in March 2021. The development has since been implemented but with a number of differences from the approved plans.

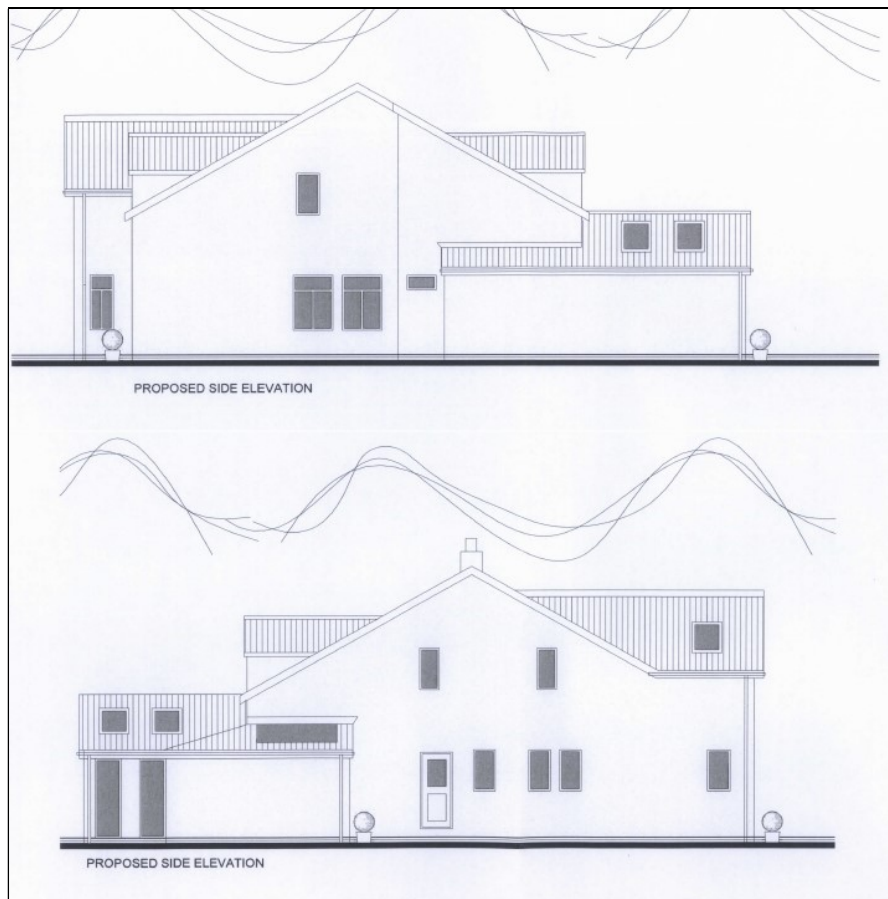
The application was originally publicised on the basis of only one amendment, namely the inclusion of an additional first floor north-east facing window. The description of development has now be amended to reflect the fact there are also a number of other differences from the previously approved plans. The amendments have been itemised earlier in the report.

In dealing with this application the key considerations are whether the amendments result in any additional or different impacts than the previously approved plans. For the benefit of Members, the previously approved elevation plans and the plans now proposed are also included below:

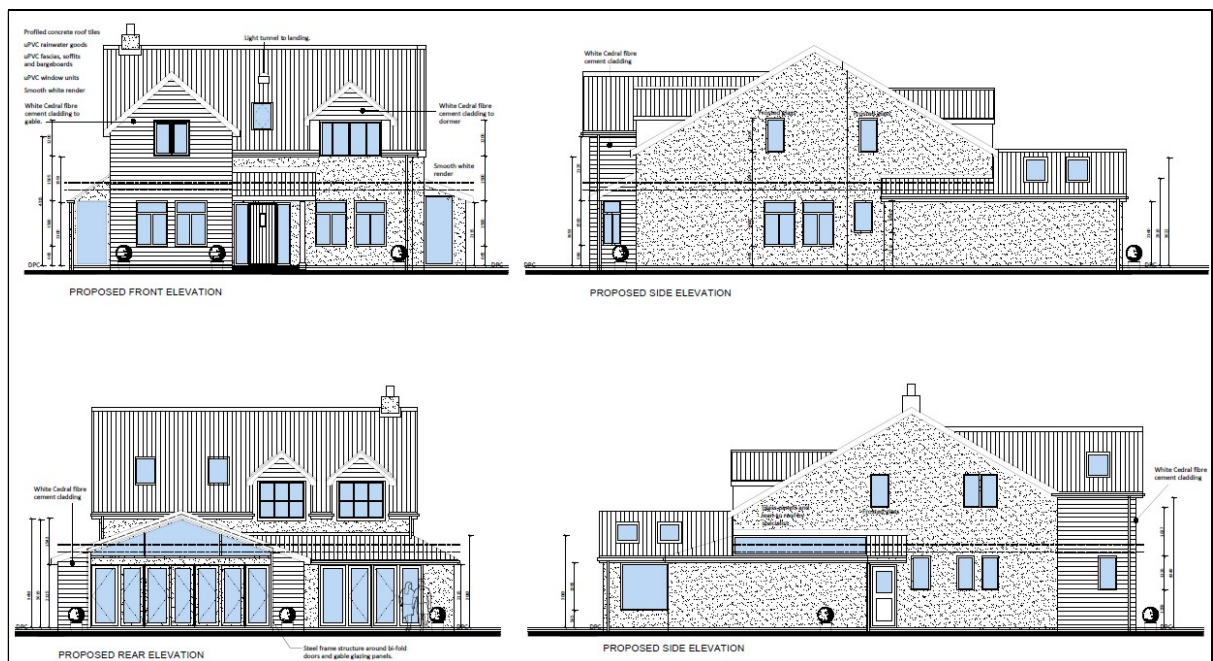


P/2020/0816 Front and Rear Elevations

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P/2020/0816 Side Elevations



Proposed Amended Plans

Amenity: The amendments do not give rise to any additional impacts upon adjacent properties compared to the previously approved plans by way of loss of light.

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Due to the overall height (3m) of the revised south-westerly side extension and the fact that the applicant's driveway sits between it and the side boundary, the proposals will not prove overbearing to the occupiers of Edge Croft.

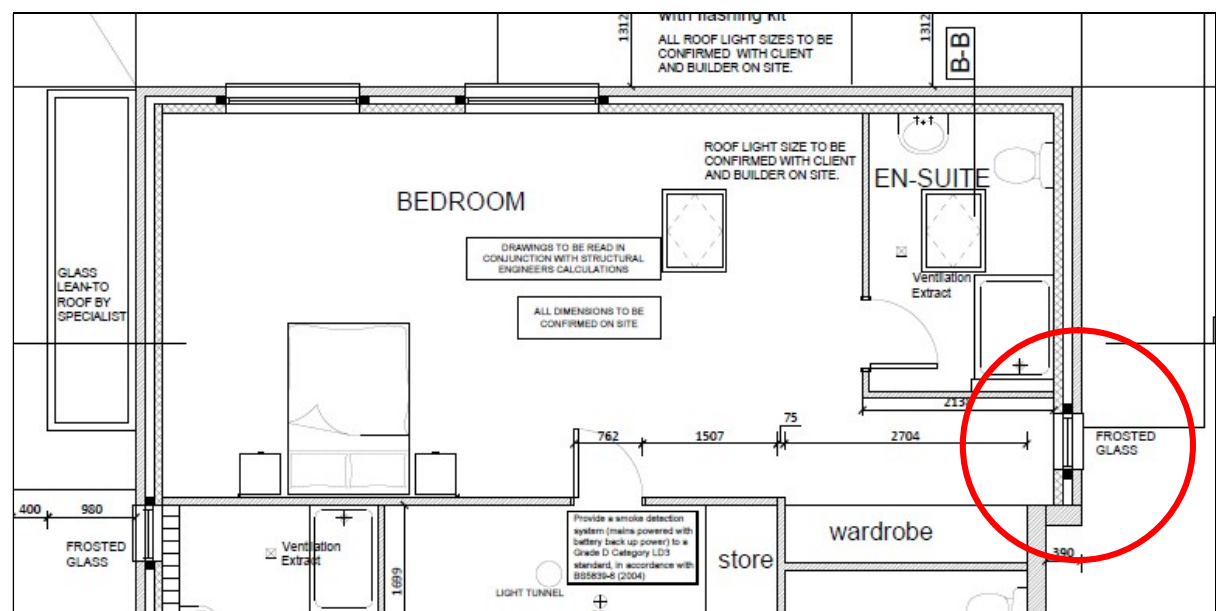
The other amendments do not result in any changes to the overall size of the extension and will therefore not prove overbearing to neighbouring occupiers compared to the previously approved plans.

The changes to ground floor windows will not result in any additional overlooking. The revised first floor window and rooflight arrangements to the front and rear of the property will not result in any additional overlooking of neighbouring properties than the previously approved plans.

The enlarged first floor window in the south-west facing elevation will not afford any additional views over the front garden of Edge Croft than the window previously approved.

The substitution of 2 en-suites for a bathroom and an en-suite for a bathroom will not result in any additional overlook given that the windows serving the rooms will be obscurely glazed.

The amended plans introduce a second first floor side facing window to serve a bedroom. An extract from the floor plan with the window circled is included below:



Amended First Floor Plan

The window will face directly towards the property Langside. The applicants have confirmed that the window serving the room will be obscurely glazed and fixed shut. The proposals will therefore not give rise to an increase in overlooking of Langside or nos.3 and 4 The Conifers. A photograph of the

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window from the interior of Oakdale is included below. The window handle is provided for decoration purposes only:



Additional North-West Facing Window

A condition will be imposed to require both of the north-east facing first floor windows to be obscurely glazed.

Appearance: The amendments result in minor change to the appearance of the development and do not result in any harm to the wider street scene.

CONCLUSION

The proposals accord with policy GDP1.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 01c, 01.1d, 006 and 007 and as contained within the application documentation.
2. The first floor windows in the north east facing elevation shall only be glazed with obscure glass and shall thereafter only be glazed or re-glazed with obscure glass.

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3. The first floor window in the north-east facing elevation shown as serving a bedroom on drawing no. 01.1d shall be non-opening. For the avoidance of doubt, the window shall, at all times, be fixed shut.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
 2. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
 3. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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