

Appeal Representations

On behalf of: Mr and Mrs Myles Roberts, Oakdale House, Village Walks, Marford, LL12 8SZ

Date: 25 June 2018

Appeal Ref: APP/H6955/D/18/3200580

LPA Ref: P/2017/1043

1. Introduction

- 1.1 These representations are submitted on behalf of Mr and Mrs Myles Roberts, Oakdale House, Village Walks, Marford, who are owners and occupiers of a residential property located immediately to the east of the appeal site. Mr and Mrs Myles Roberts submitted representations during the determination of the planning application and also made further verbal representations when the application was reported to planning committee on 05 March 2018. Verbal representations made during that planning committee have not been recorded accurately by Wrexham County Borough Council by way of minutes of the meeting. Matters raised by Mr and Mrs Myles Roberts during the planning committee meeting related to inaccuracies in the Planning officer's report to committee. It is important that the appointed Inspector is aware of these in order for these facts to be considered during the determination of the appeal.

2. Effect on residential amenity

- 2.1 The owners and occupiers of Oakdale House have grave concerns regarding the overall scale, height and siting of the proposed double garage, specifically the potential effect upon their residential amenity as immediate neighbours.
- 2.2 The submitted plans identify that the double garage is proposed to be sited within less than 0.5m of the appeal site's eastern boundary, which is the boundary between the appeal site and Oakdale House.
- 2.3 The overall height of the proposed double garage extends to 2.5m to the eaves and 5m to the ridge. This overall scale for the proposed structure, in addition to the difference in site levels between the appeal site and the garden of Oakdale House (approximately 1.5m), raises concerns regarding the detrimental effect of the appeal proposal on the residential amenity currently enjoyed by the occupiers of Oakdale House.

- 2.4 The proposal would introduce a building which extends to 5m in height, on land which is 1.5m higher than the rear garden and finished floor level of Oakdale House, in a position which is very close to the boundary between Oakdale House and the appeal site. The rear garden of Oakdale House is clearly used on a regular basis by the owners and occupiers and there is a patio area towards the rear of the garden. The proposed double garage structure is considered to have a dominant and overbearing effect on the garden area of Oakdale House where this patio is located, near the boundary between both sites. Concerns were raised in this regard during the planning application process and there is no intention to repeat those here, as they are already form part of the planning application and the appeal.
- 2.5 The application was reported to Planning Committee on 05 March 2018. There were inaccuracies in the Case Officer's report to committee and it is important that these are clarified. The Planning Committee Report states that there will be 16.3m between the habitable rooms at the rear of Oakdale House and the eastern gable of the proposed garage. This is incorrect and as measured on site, this distance is 14m, not 16.3m.
- 2.6 Local Planning Guidance (LPG) Note 20, requires a minimum of 13m between walls where there are habitable rooms facing a blank elevation. LPG 20 also advises that the distance should be increased on sloping ground, so that for every metre (or part there of) difference in height, the distances in the standard shall be increased by two metres. As there is a difference of 1.5m between the finished floor level of Oakdale House and that of the proposed garage, the separation distance between the habitable rooms of Oakdale House and the garage should be 17m. As this distance is 14m, this results in a shortfall of 3m in the distances standards set out in the Local Planning Authority's LPG, not a shortfall of 0.7m as stated in the Case Officer's report to committee. We consider this shortfall to be unacceptable as it would lead to a detrimental effect on the residential amenity of Oakdale House, in terms of proximity to habitable rooms and enjoyment of the rear garden area.

3. Effect highway safety

- 3.1 The owners and occupiers of Oakdale House are also concerned that there is insufficient space between the northern (front) elevation of the garage and the edge of the pedestrian footpath. This concern and objection was also raised by the Highway's Officer, who confirmed that there is a requirement for 5.5m depth in front of a garage to allow adequate clearance for opening of garage door. This would result in cars parking and overhanging on the pedestrian footpath which runs along the site's northern boundary.

- 3.2 The Active Travel (Wales) Act 2013 focuses on walking and cycling as a mode of transport, i.e. for purposeful journeys. Given that the Active Travel (Wales) Act 2013 aims to make active travel the most attractive option for shorter everyday journeys, pedestrian safety should not be compromised. We consider that there is insufficient space available within the site to accommodate the proposed garage and the depth of space (5.5m) required in front of a garage, therefore, the scale of the proposed double garage is too big for the site.

4. Conclusion

- 4.1 Information presented in the Officer's Report to Planning Committee in relation to the distance between Oakdale House and the proposed garage were incorrect. As a result, there is a shortfall of 3m in the recommended distance between habitable rooms and a blank elevation (when considering the difference in site levels). The overall scale of the garage in the proposed position would lead to an unacceptable detrimental effect on the residential amenity of Oakdale House.
- 4.2 We respectfully request that the inspector visits the rear garden of Oakdale House when undertaking a site visit in order to consider the effects on residential amenity and to fully understand the difference in land levels.