Report of the Chief Officer Economy and Planning

Application Reference
P/2025/0291

Applicant
Mr Terry Cooke

Agent

Site Address
17 ACTON HALL WALKS, WREXHAM, LL12 7YJ

Description of Development
ADDASU GAREJ LLAWR GWAELOD YN GEGIN / CONVERSION OF GROUND FLOOR GARAGE TO KITCHEN

Ward
Acton and Maesydre/Gwaunyterfyn a Maes-y-dre

Community
Acton/Acton

Recommendation
Grant

Officer Report

Site Description
17 Acton Hall Walks is a one bedroom flat first floor flat with integral garages below situated within a courtyard.



Proposal
The application seeks planning permission for the conversion of one of the integral garages to a kitchen. The development has already taken place, therefore the application has been submitted retrospectively.

Reason for Committee Determination
Individual letters of objection received from the owners/occupiers of 3 or more properties.

Site History
P/2003/0203 – Outline application for residential development and alteration to existing vehicular and pedestrian access. Granted 12/05/2003

P/2004/0518 – Erection of 52 no. dwellings and garages, construction of new vehicular and pedestrian access, alteration to existing vehicular and pedestrian access and associated construction of roadworks. Granted 16/09/2004

Development Plan
Wrexham Unitary Development Plan (1996 - 2011)

PS1 - Broad Location of Development
PS8 - Transport
PS2 - Broad Location of Development
PS11 - Biodiversity
GDP1 - Development Objectives

Local Planning Guidance Notes

Number 16 Parking Standards
Number 21 Space Around Dwellings

Relevant National Policy
Future Wales: The National Plan 2024
Planning Policy Wales Edition 12
Technical Advice Note 12: Design

Consultation Responses
Community Council:
Make no observations.

Local Members:
Councillors Becca Martin & Corin Jarvis: No Response received.

Publicity Undertaken:
Notification Letters: 17 x Neighbour Letters

Responses to Publicity:

1 representation in support.

3 representations objecting and expressing the following concerns:

- Not in keeping with the remaining shared courtyard parking area;
- Privacy impacts for neighbouring properties;
- Hazard created by new window;
- Covenant restrictions relating to garage use;
- Precedent and property value; and
- Loss of storage space.

Background

Garage conversions do not normally require planning permission and can be carried out as permitted development providing the work is internal and does not involve enlarging the building. However, the application relates to a flat. Flats do not benefit from permitted development rights for external alterations, therefore planning permission is required for the alterations that the applicant has carried out.

Design

The external alteration that has been carried out is the replacement of the previous garage door with a window. However, the changes to the external appearance of the building are minimal. The alterations are not visible from Acton Hall Walks and can only be viewed by the other users of the shared parking courtyard the building faces onto. Matching materials have been used to partially brick up the former garage door and the window is of a style that matches existing windows in the building and other nearby properties.

Having regard to the above, the development does not have an adverse impact on the overall character of the area. It therefore accords with policy GDP1 of the UDP.

Impact on Neighbouring Amenity

No additional built development has taken place therefore there is no impact on residential amenity with regards to visual over dominance or loss of light.

This new window faces out onto a parking courtyard that serves the application site and other neighbouring properties. This is a not a private space but a communal one. It is also already overlooked by the first floor windows of the application site and other neighbouring properties.

The rear gardens of neighbouring properties adjoining the parking courtyard are enclosed by fences of approximately 1.8m high which provide sufficient screening to protect the living conditions of their occupiers from significant overlooking.

Having regard to the above, the development does not have an unacceptable impact upon the living conditions of occupiers of neighbouring properties. It therefore accords with policy GDP1 of the UDP.

Highway Considerations

The flat has one bedroom and has a parking space adjacent to it within the courtyard. Local Planning Guidance Note 16 advises that garages do not count towards overall parking provision. The proposed development therefore does not result in the loss of any parking provision. An objector has commented that there is covenant restricting the use of the garages for the parking of vehicles. However, restrictions imposed by covenants are not material planning considerations.

This development does not compromise access to the communal courtyard or to neighbouring properties.

Having regard to the above, the development does not give rise to any highway safety concerns and therefore accords with policies GDP1 and T8 of the UDP.

Natural Environment

The application has been accompanied by a Green Infrastructure Statement and a Net Biodiversity Benefit Statement. The proposed NBB measures consist of a bird box to be installed on the front elevation of the host dwelling and additional wildflower grassland planting within the front garden area. The NBB measures are considered to be acceptable and commensurate to the scale of development. The implementation of the proposed measures could be secured by way of a suitably worded condition.

Subject to the implementation of the proposed NBB measures, the development accords with paragraph 6.4.5 of PPW12.

Other Considerations

Concerns have been raised about the loss of the garage as storage space. However, there is no evidence that it has resulted in communal courtyard being used to store items that would otherwise have been stored in the garage.

If permission is granted for the development it would not set a precedent for future garage conversions. These would be considered on their own merits if further applications were submitted.

The potential impact of the development the on nearby property values is not a material planning consideration.

Conclusion

The development undertaken does not give rise to unacceptable impacts on the character of the area, residential amenity or parking provision/highway safety. It is therefore accords with the relevant policies of the UDP.

Conditions

1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s): 1) Proposed Elevations - 0525/02 - dated April 2025, 2) Proposed Ground Floor

Plan - 0525/03 - dated April 2025, 3) Accompanying Application Form and 4) Existing Elevations, Floor Plan, Block Plan and Location Plan - 0525/01 - dated April 2025.

2. Within 3 months of the date of this planning the measures to deliver net benefit for biodiversity (NBB) referred to in the email dated the 20th May shall be implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

Reasons

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

2. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.