

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – 7th OCTOBER 2019

APPLICATION NO:
P/2019 /0617

LOCATION:
CANAL COTTAGE CADNEY LANE
BETTISFIELD WREXHAM
SY13 2LW

DATE RECEIVED:
12/08/2019

COMMUNITY:
Maelor South

DESCRIPTION:
APPLICATION FOR VARIATION OF
CONDITION NO. 2 IMPOSED UNDER
PLANNING PERMISSION
P/2016/0923 TO ALLOW USE OF
GROUND FLOOR AS SNOOKER
ROOM WITH ROOM ABOVE, TO
REMOVE GARAGE DOORS AND
REPLACE WITH WINDOWS AND
STANDARD EXTERNAL DOOR AND
TO CHANGE EXTERNAL MATERIAL
FROM TIMBER EXTERIOR
CLADDING TO BRICKWORK

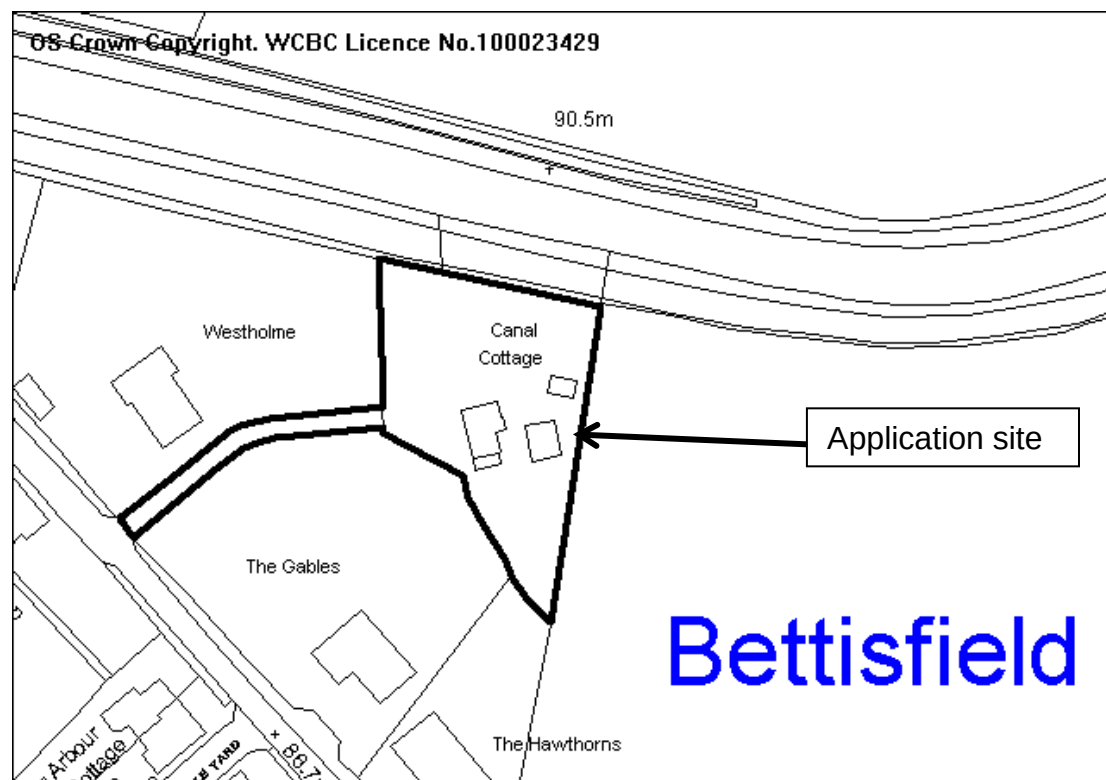
CASE OFFICER:
MP

WARD:
Overton

AGENT NAME:
EMS DESIGN LTD
MR ROBERT
METCALFE

APPLICANT(S) NAME:
MR & MRS CHRISTOPHER DAVEY

THE SITE



PROPOSAL

As above.

HISTORY

P/2016/0923 DEMOLITION OF EXISTING DILAPIDATED TWO-STOREY DWELLING AND ERECTION OF NEW TWO-STOREY DWELLING AND NEW INDEPENDENT DOUBLE GARAGE WITH SELF CONTAINED ANNEXE ABOVE TOGETHER WITH EXTERNAL WORKS. Granted 28.11.2016

P/2017/0035 APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2016/0923: - CONDITION 3 - METHOD STATEMENT SETTING OUT HOW THE CANAL EMBANKMENT WILL BE PROTECTED DURING THE WORKS. Approved 13.2.2017

P/2019/0533 APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2016/0923 TO CHANGE FROM TIMBER EXTERIOR CLADDING TO BRICKWORK. REMOVE TWO GARAGE DOORS AND REPLACE WITH WINDOWS AND STANDARD EXTERNAL DOOR. Refused 18.7.2019

DEVELOPMENT PLAN

Within settlement limit. Policy GDP1 applies.

CONSULTATIONS

Community Council:	Consulted 20.8.2019
Local Member:	No concerns.
Site Notice:	Expired 12.9.19
Neighbours:	The owners of 3 neighbouring properties notified 21.8.2019 1 representation object to planning permission being granted for a separate stand alone dwelling. 1 representation stating no objection provided the building is subject to a condition limiting its use to an annexe.

SPECIAL CONSIDERATIONS

Background: The erection of a timber clad car port with ancillary accommodation above forms an integral part of planning permission P/2016/0623. The dwelling is complete and the applicant is now progressing with the erection of the outbuilding, albeit subject to the following amendments:

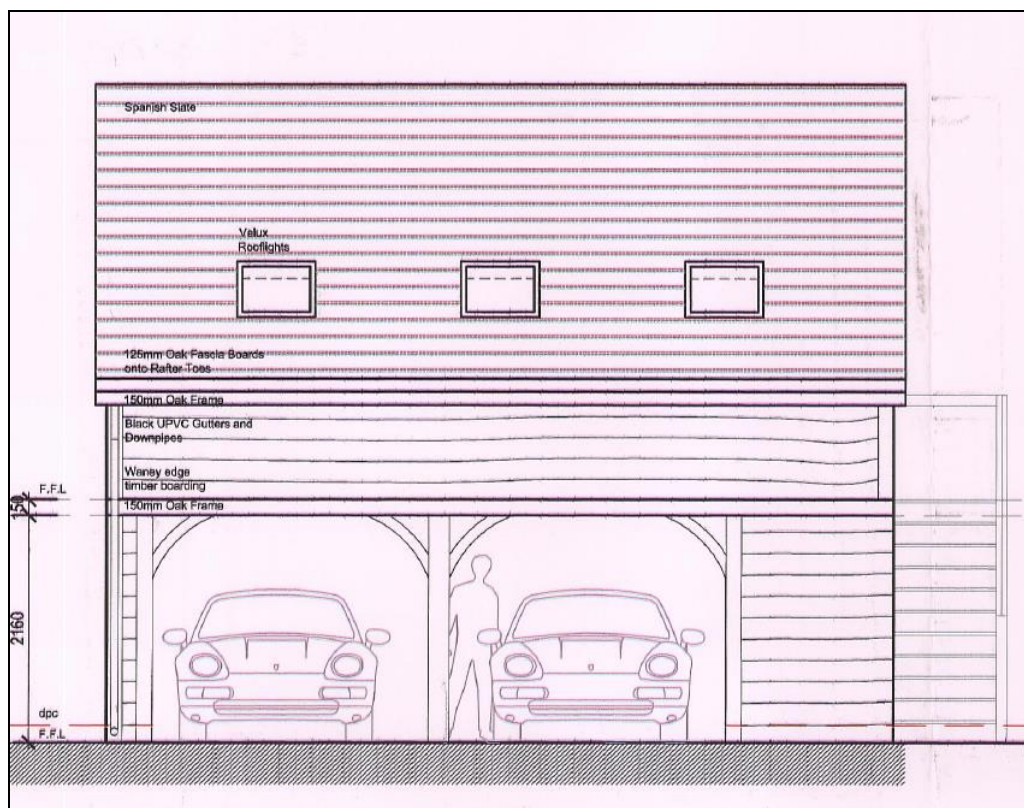
- to use Cheshire brick in lieu of timber cladding. This matches the materials used on the house.

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- to utilise the ground floor as a games room and therefore to provide an enclosed frontage to be building with two windows and a door in lieu of the previously proposed open frontage.

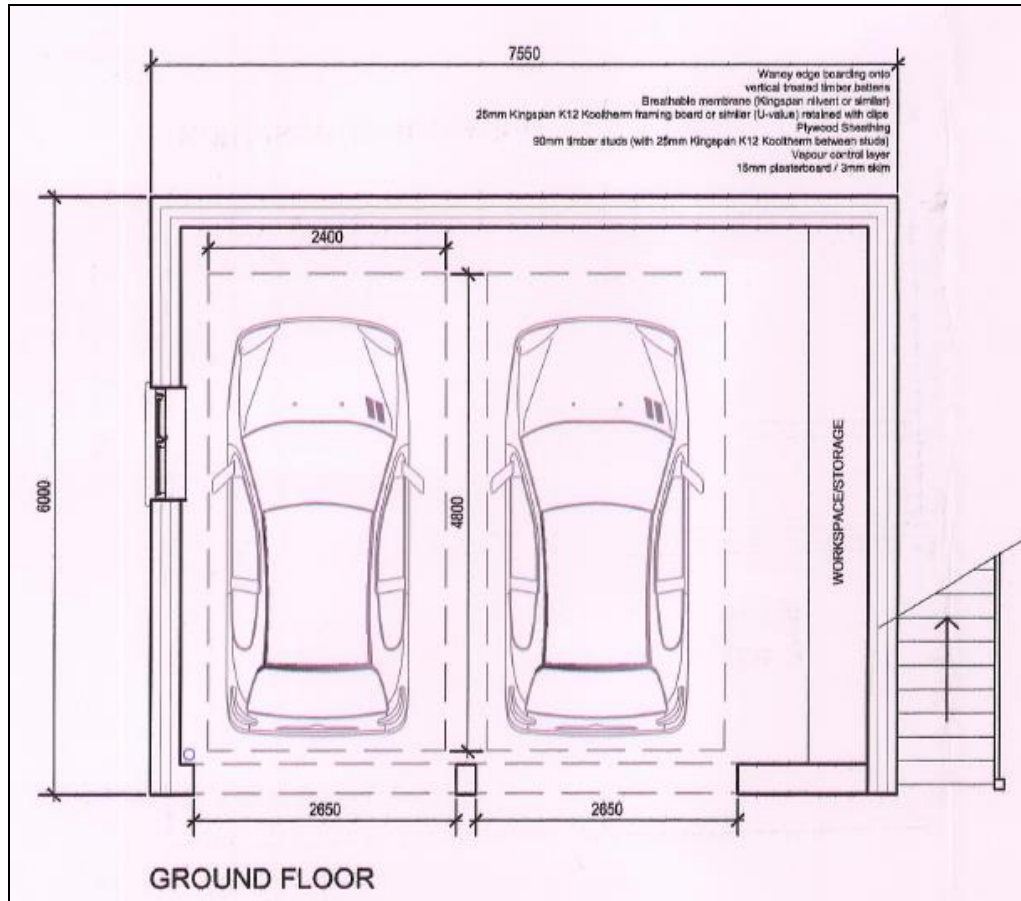
The applicant proposed the external changes as a non-material amendment in July. That application was refused principally because floor plans were not include to show the relationship between the ground and upper floors of the building. In the absence of these details I was concerned that it appeared the building was no longer to be used for purposes ancillary to the main dwelling.

The applicant submitted the current application and has included a set of floor plans. These clearly down the ground floor as a games room. The approved plans and the proposed plans are shown below:



Front elevation as approved

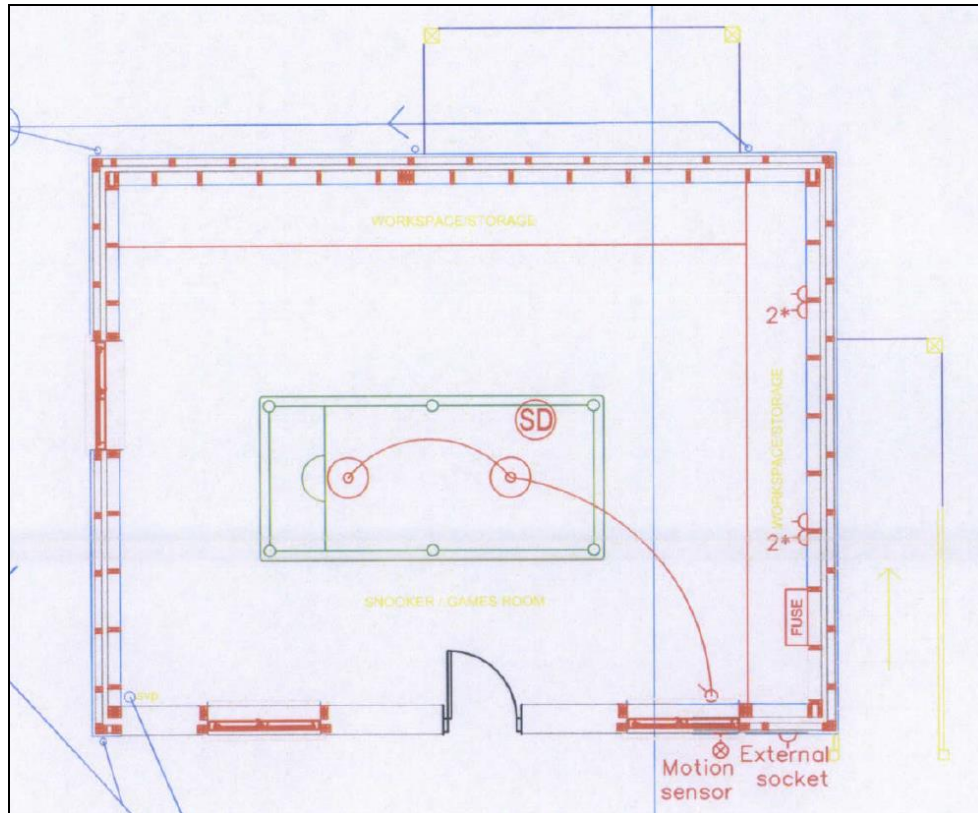
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Ground floor plan as approved



Front elevation as proposed



Ground floor plan as proposed

Impact: The size and form of the building will remain unaltered and I am satisfied the changes to the external appearance are acceptable. They are minor in nature so will not have an impact upon the wider locality nor will they detract from the appearance of the site given that external materials match those used on the dwelling.

The outbuilding is some 50m from the nearest dwelling, with its size elevation facing the boundary. The introduction of a room and the associated windows at ground floor level will therefore not give rise to an increase in overlooking.

Use: The changes to the building will not give rise to a material change of use. There is no proposed internal staircase to link the ground floor games room and the upper floor annexe. Based on the information before me I am satisfied that the outbuilding will be used for purposes ancillary to the main dwelling therefore there should be no additional impacts, such as noise or traffic. The extant planning permission is subject to a condition limiting the use of the outbuilding to ancillary purposes and this will be also be attached to this decision.

I have no reason to believe that the applicant intends for the structure to be used as a separate dwelling in future. Should he intend to change the use of the building it is a matter that will need to be dealt with via a separate planning application to be considered on its own merits.

CONCLUSION

The development accords 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 16.26_L102, 16.26_L103_P01, CD-100-001 and CD-100-004 and as contained within the application documentation.
2. The erection of the building shown on drawing 16.26_L03_P01, CD-100-001 and CD-100-004 shall take place in strict accordance with the method statement received on 9 February 2017 and approved on 13 February 2017 (Reference P/2017/0035).
3. The development shall be carried out in strict accordance with the Reasonable Avoidance Measures set out in paragraph 5.21, 5.22 and 5.23 of the Spindle Ecology Preliminary Ecology Appraisal dated September 2016 and section 6.0 Recommendation and Conclusions of the Spindle Ecology Bat Survey Report dated September 2016.
4. The development shall be carried out in strict accordance with section 9.0 Tree Protection and section 10.0 Work within Root Protection Areas (RPAs) of the Old Oak Tree Care Arboricultural Report dated 18 September 2016.
5. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
6. The building shown on drawings 16.26_L103_P01, CD-100-001 and CD-100-004 shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling shown on drawings 16.26_L102 and 16.26_L103_P01

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
2. To protect the structural stability of the canal infrastructure which could be adversely affected by the development.
3. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
4. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

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6. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
