

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

APPLICATION NO:
P/2019 /0700

LOCATION:
4 CELMAR GROVE RHOSTYLLEN
WREXHAM
LL14 4BD

DATE RECEIVED:
10/09/2019

COMMUNITY:
Esclusham

DESCRIPTION:
TWO-STOREY REAR EXTENSION
AND FRONT PORCH

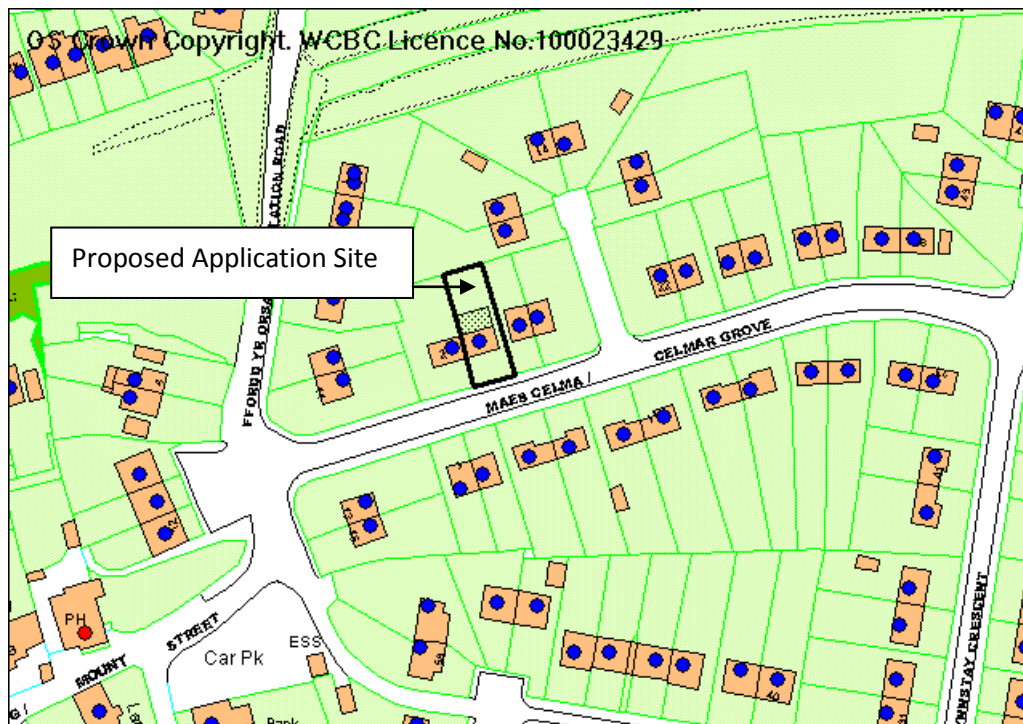
CASE OFFICER:
SEH

WARD:
Esclusham

APPLICANT(S) NAME:
MR & MRS GRIFFITHS

AGENT NAME:
CB ARCHITECTURAL
DESIGN
MR CRAIG BAUGH

THE SITE



PROPOSAL

As above

PLANNING HISTORY

P/2019/0552 Two-storey rear extension and front porch
Refused on 21/08/2019.

DEVELOPMENT PLAN

The site is within settlement. UDP Policies PS2, T8 and GDP1 apply. Local Planning Guidance Notes (LPGN) Nos. 16 'Parking Standards', 20 'House Extensions' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	Consulted	11.09.2019
Local Member:	Notified	11.09.2019
Site notice:	Expired	03.10.2019
Neighbours:	1 letter received during the previous application expressing the following:	
	• The property is in an elevated position to my property and an extension of that height would impose on the light in my kitchen and the enjoyment of afternoon sun shine on my small patio. The extension would put my patio in the shade as number 4 is to the east.	

SPECIAL CONSIDERATIONS

Background: Proposed is the erection of a two storey rear extension and a single storey front porch extension with canopy over the ground floor window on the front elevation. An application for a two storey extension has previously been refused (P/2019/0552) because the BRE test for daylight failed and a significant loss of light to the adjoining dwelling would have resulted (see figure 1 below). The proposal has now been amended to reduce the size of the first floor extension in order to lessen the impact upon the adjoining property (see figure 2 below). The main issues to consider in relation to this resubmission are the impact of the development upon residential and visual amenity.



Figure 1. Two Storey Rear Extension - Permission Refused under P/2019/0552



Figure 2. Proposed Rear Elevation – Two Storey Extension.

Design: The proposed extensions seek to utilise matching materials to those on the existing dwelling and have been designed to be in keeping with, and sympathetic to, the character and appearance of the existing dwelling. The rear extension would not be readily visible from public viewpoints and the porch, though visible from the public highway, will not appear incongruous in the street scene (see proposed front elevation at figure 3. below).



Figure 3. Proposed Front Elevation – Single Storey Porch Extension

Parking (3 spaces for 3 bedrooms as proposed) will remain in accordance with LPGN 16 and more than the minimum useable outdoor space would also be retained in accordance with LPGN 21.

Residential Amenity: There are no windows proposed in the side elevations of the rear extension at first floor level and as such there would be no loss of privacy to the adjacent dwellings. A condition should be attached to the planning permission to prevent any additional windows in the future.

There is a (secondary) ground floor dining room window proposed in the side elevation of the extension facing No.6 Celmar Grove. It is therefore necessary to raise the height of the eastern boundary fence to prevent any overlooking in this direction. This will be secured by planning condition.

There are no buildings directly to the rear of the development and the garden area of No.10 Celmar Grove stretches across the back of the application site.

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The garden area is approx. 10 metres away which is a sufficient distance to protect privacy within the garden area and the proposal complies with the guidance set out in LPGN 21.

The 45 degree test for daylight passes when applied to both the porch and rear extensions and the proposed development will not have a significant impact in terms of reduction of daylight to the adjacent neighbouring properties.

Conclusion: I consider the proposed front porch and rear extensions to be acceptable in terms of scale and design, and that there would be no significant impact upon visual or residential amenity. The development is in accordance with the Council's adopted policies and guidance and I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 828/L(-)04 Rev A, SK01 Rev B, SK02 Rev D, SK03 Rev D and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. With the exception of those shown on the approved plan and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the extension.
5. The vehicular parking areas as shown on approved drawing(s) No(s). 828/L(-)04 Rev A shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
6. Prior to first use of the development hereby approved, details of a boundary treatment scheme for the easterly boundary shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be implemented in strict accordance with the details as are approved and shall thereafter be permanently retained.

REASON(S)

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

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2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. 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.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
6. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.
