

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **4TH OCTOBER 2017**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **FULL APPLICATION – PROPOSED DOUBLE STOREY REAR EXTENSION AND INTERNAL ALTERATIONS AT 13 KILN LANE, HOPE**

APPLICATION NUMBER: **057225**

APPLICANT: **MR ANDREAS POWELL**

SITE: **13 KILN LANE, HOPE**

APPLICATION VALID DATE: **19TH JULY 2017**

LOCAL MEMBERS: **CLLR G HEALEY**

TOWN/COMMUNITY COUNCIL: **HOPE**

REASON FOR COMMITTEE: **OUT OF KEEPING WITH LOCALITY OVERSHADOWING**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full application for extension to the rear and creation of space in the roof, including the raising of the existing roof level at 13 Kiln Lane, Hope.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time limit
 2. In accordance with approved details

3.00 CONSULTATIONS

3.01 Local Member

Councillor G Healey- Objection- Overshadowing, out of keeping with area

Hope Community Council

Object due to character not being in keeping with other bungalows. Also concerns that it will impact the neighbours right to light

Head of Public Protection

No adverse comments

CPAT

There would be no sub-surface or direct impact upon the SAM

CADW

No objection

4.00 PUBLICITY

4.01 Neighbour Notification

One letter of objection received:

- Overshadowing
- Impact on privacy

5.00 SITE HISTORY

5.01 No relevant planning history

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1- General Requirements for Development

GEN2- Development Inside Settlement Boundaries

HE6- Scheduled Ancient Monuments and other Nationally Important Archaeological Sites

HSG12- House Extensions and Alterations

SPG 1 House Extensions

7.00 PLANNING APPRAISAL

7.01 Proposal

The proposed development is a rear extension and introduction of

accommodation in the roof space to the rear of 13 Kiln Lane, Caergwrle. Essentially the proposal would convert an existing bungalow into a dormer bungalow with an increase of the height of the ridge line of one metre.

Principle of development

7.02 The site is located within the settlement boundary for Hope, as defined in the Flintshire Unitary Development Plan. It appears that the dwelling originally had a smaller garden area, but at some point in the past the majority of properties have purchased the agricultural land to the rear and extended the boundaries towards the road on their rear boundary. Both this area and the road are within the settlement boundary for Hope. It appears that the gardens were extended many years ago, and certainly before the plan period. As such I consider them to be residential garden area and therefore the original dwelling is a relatively small size in relation to its plot.

7.03 There are a number of similar sized extensions approved on Kiln Lane in the last few years, notably reference 052071, Ael y Bryn, Kiln lane, which is directly opposite the application site, and reference 048728, Watsmead, Kiln Lane, which is again in the vicinity of the application site.

7.04 Policy HSG12 states that any extensions should be subsidiary in scale and form. Although the proposed extension exceeds a 50% increase of the original floorspace, paragraph 5.3 of SPG1 explains that this general guideline is to prevent extensions deemed to be harmful to the character of the existing property and its locality. The form of extension is clearly characteristic of the area. As the plot size of the dwelling is large in size the proposal cannot be considered over-development.

7.05 Members will also recall the appeal (056201) at 86 Windsor Drive, Flint, reported on the September 2017 agenda, which allowed a similar proposal which formed 100% increase of extension of an existing bungalow which the Inspector determined was acceptable when there is a variety of built form in the area.

7.06 Whilst the extension exceeds the 50% guide figure for increases in floor area, the proposal respects the design and setting of the existing dwelling by maintaining gaps to the side and the resultant dwelling is in keeping with the prevailing scale and character of the dwellings in the locality. As such I consider the proposal to be in accordance with part a and b of Policy HSG12.

Impact upon neighbouring amenity

7.07 The neighbouring property to the north of the site, no. 11, is one of the few dwellings that have not extended their garden in the past. As such there is a concern that the extension will unacceptably impact upon the amenity of this property, including overshadowing, as well

as the possibility of adverse overlooking.

7.08 The resultant roof height is one metre higher than the existing roof apex. The proposal extends approximately 4.7 metres beyond the rear wall of the neighbouring property, and is set 1 metre away from the shared boundary. This is acceptable within the guidance contained within SPG1. The extension is orientated in such a way that the roof plane on the rear extension closest to No. 11 extends downs from ridge height to single storey eaves height. This mitigates against any overshadowing which would be considered to have an unacceptable impact on the reasonable enjoyment of the neighbouring patio area. In this regard the proposed single storey element of the extension is not dissimilar to what could be constructed under permitted development rights, which would allow a 4 metre projection, with the proposal extending a further 2.7 metres beyond this point. A permitted development extension would also extend beyond the existing rear boundary of the neighbour.

7.09 To conclude the proposal does not have an unacceptable impact on people living nearby and is in compliance with part C of Policy HSG12.

Impact upon streetscene

7.10 The majority of the proposal is on the rear of the property, with limited impact upon the principle elevation and street-scene. The proposal involves slightly raising the roof line by introducing a new apex. Given the range of different roof designs within Kiln Lane I do not consider this to be an incongruous feature. There is also a variation in roof height and ground levels within the street-scene and the application site. As such I do not consider that the proposal would cause detrimental harm to the street-scene and the proposal would therefore be compliant with part b of Policy HSG12.

Impact upon Scheduled Ancient Monument (SAM)

7.11 The application area is located some 6 metres from the boundary of SAM Wat's Dyke. The monument consists of a linear earthwork and a substantial bank. A section of the SAM runs along the rear of the gardens of properties on Kiln Lane.

7.12 CADW, who consider the impact of the proposal on the setting of the SAM, have confirmed that whilst the proposed extension brings the modern structure closer to the SAM, they consider that the development will only cause slight additional damage to the setting of the monument in comparison to the current situation.

7.13 CPAT consider that the propose development would have no sub-surface or direct impact on the SAM and do no object to the proposal.

8.00 CONCLUSION

In conclusion I consider the proposal to be in accordance with the aims of Policy HSG12 and SPG 1 House Extensions.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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