

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **14TH OCTOBER 2015**

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

SUBJECT: **FULL APPLICATION – ERECTION OF DETACHED GARAGE AND FORMATION OF ACCESS AT 13 BRON HAUL, TRELAWNYD**

APPLICATION NUMBER: **053545**

APPLICANT: **MISS G JONES**

SITE: **13 BRON HAUL, TRELAWNYD**

APPLICATION VALID DATE: **4 AUGUST 2015**

LOCAL MEMBER: **COUNCILLOR N. STEELE-MORTIMER**

TOWN/COMMUNITY COUNCIL: **TRELAWNYD & GWAENYSGOR**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUESTED THAT THE APPLICATION BE REFERRED TO COMMITTEE AS THE ACCESS IS ON TO A PRIVATE ROAD WITH OUT THE AGREEMENT OF THE OWNERS**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This application seeks planning permission for the erection of a detached garage that is proposed to be served by a new vehicular access from the private road to the rear of 13 Bron Haul, Trelawnyd.

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

- 2.01
1. Commencement within five years.
 2. In accordance with the approved plans.
 3. There shall be no raising or lowering of ground levels within the permitted safety zone of the public main sewer which crosses the site.

3.00 CONSULTATIONS

3.01 Local Member

Councillor N. Steel-Mortimer

Request that the application is referred to Committee as the access is on to a private road, the maintenance of which is carried out by the property owners on London Road.

Trelawynd & Gweanysgor Community Council

No response received at time of writing this report.

Head of Public Protection

No adverse comments to make regarding this proposal.

Welsh Water/Dwr Cymru

Confirm that the application site is crossed by a public main crossing. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line

4.00 PUBLICITY

4.01 Neighbour Notification

7 objection letters received objecting to the proposal on the following grounds;

- The private road belongs to the properties on London Road.
- Parking will become a problem.
- Surface water.
- Maintenance of the road.

5.00 SITE HISTORY

5.01 No relevant site history.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1 - General Requirements for Development

HSG12 - House Extensions and Alterations

D2 - Design

7.00 PLANNING APPRAISAL

- 7.01 The application site comprises of the curtilage to an end terrace, two storey dwelling, located at the end of a cul-de-sac within the settlement boundary of Trelawnyd, as defined in the Flintshire Unitary Development Plan.
- 7.02 The proposal is for the erection of a detached single garage measuring 4.48m wide by 6.29 m long with a ridge height of 4.21m. The garage will be rendered to match the dwelling and roofed in concrete tiles. The proposed vehicular access to the garage will be via a new access on to a private road adjacent to the rear boundary of the site.
- 7.03 In terms of the visual impact the proposal will have, the design of the garage is subordinate to the main dwelling and there will not be any adverse impact on the amenities of the neighbouring adjoining properties.
- 7.04 Objections have however been raised by a number of local residents who reside in the dwellings fronting London Road, but have their vehicular access off the private drive to the rear of the dwellings, on to which it is proposed that the new vehicular access will be created. Given that the road is private, the formation of the access does not in itself require planning permission and the use of it is a civil matter, as it is a land ownership issue between the owners and the applicant, outside the remit of planning. In granting planning permission we would make it clear to the applicant that it would not authorise any rights over private land and that these would have to be negotiated separately to allow the access to be used
- 7.05 There is also a claim that the access would be hard surfaced and contribute to surface water drainage issues in the locality but this would be negligible and would not have any significant impact on the adjoining road.

8.00 CONCLUSION

- 8.01 In conclusion, the scale and form of the development does not have an unacceptable and adverse impact on the character of the area, compliant with the above policies and it is recommended for approval accordingly.
- 8.02 In considering this planning application 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.

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: Barbara Kinnear
Telephone: (01352) 703260
Email: Barbara.kinnear@flintshire.gov.uk