

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **3RD APRIL 2019**

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

SUBJECT: **FULL APPLICATION – ERECTION OF TWO STOREY EXTENSION AT 16 PRIORY CLOSE, PENYFFORDD.**

APPLICANT NAME **MR. C. WORTHINGTON**

APPLICATION NUMBER: **059431**

SITE: **16 PRIORY CLOSE , PENYFFORDD, CH4 0JB**

APPLICATION VALID DATE: **23.01.19**

LOCAL MEMBERS: **COUNCILLOR D.T.M. WILLIAMS**
COUNCILLOR C. HINDS

TOWN/COMMUNITY COUNCIL: **PENYFFORDD**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST – CONSIDERS THAT THE EXTENSION IS INAPPROPRIATE. ALSO HAS CONCERNS THAT THE DEVELOPEMNT WILL GIVE RISE TO PARKING PROBLEMS WITHIN THE CUL-DE-SAC.**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This house holder application seeks consent for the erection of an extension above the existing single storey attached garage , to create a second storey and a slight increase in the size of the existing footprint of the building at 16 Priory Close, Penyffordd, Nr Chester.

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

2.01 Conditions:

1. Time limit for commencement of development.
2. Built in accordance with the approved plans.
3. Removal of Permitted Development Rights for further openings within the side elevation.

3.00 CONSULTATIONS

3.01 Local Members

Councillor D.T.M. Williams

Considers that the proposals do not make adequate provision for space around dwellings and separation distances. Has concerns that the proposed extension would not provide adequate separation between the dwelling (as extended) and existing adjacent dwelling. Has concerns that extension has potential adverse impacts upon parking within the cul-de-sac.

Councillor Mrs C. Hinds

Requests committee determination. Has concerns in respect of the proposed form of extension and potential adverse impacts upon parking within the cul-de-sac.

Penyffordd Community Council

Objects due to strong concerns of the impact of the development on street parking, pedestrian safety and the impact upon neighbours who have a shared driveway.

Highways DC

No objection to the proposal.

Community and Business Protection

Have no adverse comments to make regarding this proposal.

Natural Resources Wales

Recommend that in house ecologist determine if there is a reasonable likely hood of bats being present within the application site.

On this recommendation I have consulted with the County ecologist and its been confirmed that the records of bats in the area are old (2003) and there are no updated records, in view of this they have recommended that a note to applicant with regard to bats is attached to any formal planning consent that may be issued.

4.00 PUBLICITY

4.01 Neighbour Notification

As a result of the above publicity two letters of objection have been received raising the following matters:-

- Submitted plans are not to scale
- Raises a variety of concerns in relation to access and parking implications arising from the proposals.
- Loss of garage leads to loss of parking
- Concern that the visual impact of the development in this head of cul de sac and elevated position, will dominate and make the existing property seem excessive.
- Land ownership concerns

5.00 SITE HISTORY

5.01 No previous planning history

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
GEN1 - General Requirements for Development
HSG12 - House Extensions and Alterations
D2 – Design

SPGN 1 – Extensions & Alterations to Dwellings
SPGN 2 – Space Around Dwellings
SPGN 11 – Parking Standards

7.00 PLANNING APPRAISAL

7.01 Introduction

This house holder application seeks consent for the erection of a two storey extension over the existing single storey attached garage. As part of the scheme it is proposed to extend the footprint of the existing garage by 500m from the existing side wall of the garage.

7.02 The Site and Surroundings

The existing property is a two storey detached property, with a single storey attached single garage. The application site is set at the head of an established residential cul-de-sac of similar style, design and scale of detached two storey dwellings.

7.03 The Proposal

The proposal provides for the demolition of the existing single storey side garage extension and replacement with a 2 storey side extension to provide a study, utility room and w/c at ground floor and bedroom with en-suite at first floor level. Provision is made across the frontage of the dwelling for 3no. car parking spaces.

7.04 The Main Issues

The main issues for consideration in respect of this proposal are;

- The design of the proposal having regard to scale appearance and space about dwellings; and
- Highway and parking impacts.

7.05 Design and Space about Dwellings

The proposed extension is located to the side of the dwelling upon the area presently occupied by the single storey garage extension. This garage is to be demolished to facilitate the proposals. The extension is proposed to be 9m in length and 3.2m in width, with the height rising from the existing eaves height of 4.3m to 6.8m to the apex. The floor area of the dwelling extends some 500mm closer to the side boundary of the site than the current garage extension. The accommodation proposed within the extension is arranged such that windows are located to look out to the front and rear of the dwelling. There are no openings of any form within the proposed side elevation.

7.06 Concerns have been raised with regards to scale / massing and design of the proposal at the head of the cul-de-sac position and the slightly elevated site level leading to a development that would dominate and be out of character. In addition, concerns have been raised that the proposed extension would not provide for adequate separation distances between the extension and existing adjacent dwellings.

7.07 It is considered that the proposed extension is reflective of both the existing dwelling and the character and appearance of the other existing dwellings within the cul-de-sac, being of brick walls beneath a concrete tiled roof. It is also considered that the extension, being less than 50% of the width of the current dwelling and only introducing further built form in relation to the existing dwelling at first floor level, is subsidiary in scale to the existing dwelling and reflective of the surrounding character of built form

7.08 In respect of the issues raised in relation to separation distances, it is noted the extension is proposed to the side elevation and the orientation of No. 12 Priory Close to the site is such that a 9m separation distance between the flank wall of the proposed extension and the frontage of No 12 is secured. With regard to the guidance set out in SPGN 1 – Extensions & Alterations to Dwellings and SPGN2 – Space Around Dwellings. Whilst it is noted that normally a separation of 12 metres would be sought in circumstances of a blank wall relationship to habitable rooms, it should be noted the current separation distance between the two dwellings is 9.5 metres. The separation in this regard is therefore already below that suggested within SPGN 2.

- 7.09 Account has been taken of the position of the proposed extension in relation to the neighbouring property and in relation to the path of the sun in the sky on a daily basis. Given that the extension lies directly to the south of the dwelling at No. 12, the sun will be at its highest point in the sky throughout the year at the point at which it faces the front elevation of No.12. Accordingly it is not considered that the proposed extension, notwithstanding its position approximately 9m from the front of No.12, would result in overshadowing to the extent it would impact unacceptably upon the living conditions of the existing occupants of No. 12.
- 7.10 Furthermore, as the proposed flank wall is proposed to a blank elevation, there is no direct overlooking resulting from the proposal and therefore, no adverse impacts upon living conditions. To ensure that control is maintained in this regard and therefore propose to impose a condition to remove the permitted development rights for further opening within this elevation.
- 7.11 Accordingly, and for the reasons set out above, it is considered the proposal would comply with the requirements of policies GEN1, HSG12 and D2 of the Flintshire Unitary Development Plan.
- 7.12 Highways & Access
The proposals make provision for the creation of 3 No. car parking spaces across the frontage of the property. Consultation undertaken with Highways DC has established that there is no objection to the proposals upon highway grounds. It is noted the concerns raised with regards to loss of parking provision on the potential for increased on street parking, with consequent impact upon access. The Council's parking standards indicate that 3 car parking spaces will be required for dwellings with greater than 3 bedrooms, and therefore this proposal accords with this guidance.
- 7.13 Accordingly it is considered that this proposal accords with the requirements of policy GEN1 of the Flintshire Unitary Development Plan and the Guidance set out within SPGN 11 - Parking Standards.
- 7.14 Other matters
A variety of concerns have been raised in relation to land ownership disputes and private access rights. Members are aware that such matters are not material planning consideration and no weight should be attached to them in the overall planning balance.

8.00 CONCLUSION

- 8.01 In conclusion, the form, scale and design of the proposed extension is appropriate to the character of the site and surroundings and is considered to be compliant with policies GEN1, HSG12 and D2 of the Flintshire Unitary Development Plan. The proposal will not result in

adverse impact upon the living conditions currently enjoyed by the occupants of existing adjacent dwellings.

Other Considerations

8.02 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.

8.03 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.

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

8.05 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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