

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **2nd DECEMBER 2020**

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

SUBJECT: **061720 – FULL APPLICATION - SUN ROOM & GARAGE EXTENSION WITH BEDROOM EXTENSION ABOVE.**

APPLICATION NUMBER: **061720**

APPLICANT: **MR M PEERS**

SITE: **7 PINWOOD ROAD, DRURY, BUCKLEY, CH73JZ**

APPLICATION VALID DATE: **3rd SEPTEMBER 2020**

LOCAL MEMBERS: **COUNCILLOR D.HUTCHINSON AND COUNCILLOR M.J.PEERS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **APPLICANT IS COUNTY COUNCILLOR AND MEMBER OF PLANNING COMMITTEE**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 In accordance with the Council's Planning Code of Practice, applications for planning permission by County Councillors should be determined by the Planning Committee (the Committee).

However, on the 19th of October 2020 planning permission was granted pursuant to this application under the delegated decision process, without the application having first been considered by the Committee.

The planning permission that has been issued is for the erection of a sun room & garage extension with bedroom extension above at 7 Pinewood Road, Drury, Buckley. The main issues considered, that gave rise to the grant of planning permission, were the character and appearance of the proposal and any impact on existing or proposed living conditions. These matters are more fully set out in sections 6 to 7 of this report.

Given that the application should have been determined by the Committee there are two options open to the Committee at this stage, as follows:

1. Firstly, if the Committee are certain that (had the application been considered by them prior to the grant of planning permission) they would have resolved to grant planning permission then the Committee can formally ratify the grant of the planning permission that was issued on the 19 October 2020, and the applicant can then implement the permission that has already been issued on that date. The Committee may reach this view if they consider that the development is in accordance with the development plan and planning policy, and that no other material considerations would have led to a refusal of permission by the Committee. If this is the case then the Committee can resolve to approve the recommendation at paragraph 2.01 of this report; or
2. If the Committee consider that (had the application been considered by them prior to the grant of planning permission) they may have refused planning permission, and that it is expedient to do so, then the permission can be revoked under Section 97 of the Town and Country Planning Act 1990 (the Act). In deciding whether to revoke a planning permission the Committee shall have regard to the development plan and to any other material considerations. A revocation under Section 97 of the Act gives rise to a statutory right to compensation under Section 107 of the Act in respect of expenditure rendered abortive by the revocation order, and for any other loss or damage directly attributable to the revocation order. If the Committee considers that planning permission should be revoked then the Committee can resolve to approve the recommendation at paragraph 2.02 of this report.

2.00 RECOMMENDATIONS:

- 2.01 The planning permission is in compliance with the development plan and no other material considerations would have led to planning permission being refused by the Committee, and the planning permission should not therefore be revoked; or

2.02 That the planning permission granted on the 20 October 2020 shall be revoked.

3.00 CONSULTATIONS

3.01 Local Member Councillor D Hutchinson
No comment at the time of writing.

Buckley Town Council
No objection.

Highways Development Control
No objection.

Community and Business Protection
No objection.

Tree Preservation Officer
No comment at time of writing.

Natural Resources Wales
No objection

Ecology

The location is within a large area of housing and not immediately adjacent to good foraging habitat so the risk of bats being present is likely to be low but advise a Note to applicant:

All bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2017, and the Wildlife and Countryside Act 1981 as amended. You are advised that should a bat be found then work must cease and Natural Resources Wales or the County Ecologist contacted for advice on any special precautions before continuing.

4.00 PUBLICITY

4.01 No letters of objection received.

5.00 SITE HISTORY

5.01 **056669** - Erection of sunroom and garage extension with bedroom extension above. - **Approved 20/04/2017**

6.00 PLANNING POLICIES

6.01 **Flintshire Unitary Development Plan**

- HSG12 House extensions and alterations
- GEN1 General requirements for development

- GEN2 Development inside settlement boundaries
- D1 Design quality, location and layout
- D2 design

Supplementary Planning Guidance

- SPGN1 Extensions and Alterations to Dwellings
- SPGN2 Space around dwellings

National Planning Policies:

- Planning Policy Wales (PPW) Edition 10

7.00 PLANNING APPRAISAL

7.01 Introduction

This full planning application proposes the erection of a sun room & garage extension with bedroom extension above at 7 Pinewood Road, Drury, Buckley.

7.02 The application site is a two storey detached dwelling finished in brick with attached single garage. The surrounding area is predominantly residential with the majority being two storey detached homes situated on moderate size plots with a good size front and rear gardens.

7.03 Proposed Development

The proposed development is sought for the erection of a single storey rear extension to replace the existing conservatory. The proposal will be of similar dimensions, extending approximately 3.5m from the rear of the property. The proposal will include a pitched roof containing three roof lights. There is one large window and three high sills levels facing the neighbouring property at number 5. Additionally, there is one French door located on side elevation which would open out onto the rear garden and two windows proposed on the rear elevation.

7.04 The proposal also includes the extension of the existing garage, approximately 1.8m wider to allow for an enlarged garage and foyer area that would include a utility room and downstairs W.C.

7.05 In addition to this the proposal includes a first floor extension above the garage to allow for two additional bedrooms. The proposal will extend approximately 4.6m wide and approximately 7m in length. The proposal will include a pitched roof designed with a gable end situated with a lower ridge height than the existing dwelling. There is one proposed window on the first floor front elevation and two windows in the first floor rear elevation.

- 7.06 Principle of Development:
The proposed development is located within the settlement boundary of Drury a small village situated on the outskirts of Buckley. GEN2 states that development will normally be permitted within settlement boundaries.
- 7.07 HSG12 states extensions or alterations to existing dwellings will be permitted provided that the proposal:
- is subsidiary in scale and form to the existing dwelling, and does not represent an overdevelopment of the site;
 - respects the design and setting of the existing dwelling and surrounding area; and
 - will not have an unacceptable impact on people living nearby.
- 7.08 Supplementary Planning Guidance Note 1 paragraph 2.2 and the justification and explanation to Policy HSG12, state that as a general guide, house extensions should not be more than 50% of the original floor space and extensions that are out of scale and character will not be permitted.
- 7.09 GEN1 and D1 states that development should harmonise with the site and surroundings in terms of the siting, scale, design, layout, use of space, materials, external appearance and landscaping.
- 7.10 PPW10 introduces the concept of placemaking whose positive implementation through good design is to ensure peoples and community well-being. PPW states that good design is fundamental to achieving sustainable places and is not simply about the architecture of a building or development but the relationship between all elements of the natural and built environment and between people and places.
- 7.11 Scale of Development
In terms of scale as the dwelling is located on a sizeable plot the proposal will retain adequate amenity area once built. It is considered that the proposed extensions are subordinate in scale and as they form less than 50% of the original floor space the proposal will not create overdevelopment of the site.
- 7.12 The acceptability of this proposed scale of development however, needs to be considered in conjunction with its proposed design and impact on the living conditions of occupiers of adjacent properties, which are referenced in detail below.
- 7.13 Character and Appearance
The proposal would utilise materials which will match the existing pallet seen within the existing dwelling. Numerous properties within the area have similarly designed extensions therefore, it is considered that the proposal will be reflective of the existing dwelling and

character of the surrounding area. It is considered that the proposal is designed to complement the character of the existing dwelling.

7.14 Neighbouring Living Conditions

The proposed extensions are located off the common boundaries of the neighbouring dwelling. The boundary line consists of mature dense hedges. It is considered that the proposed extensions will not overlook or cause a loss of privacy to the surrounding neighbours. The proposed extensions are considered to be well designed and not deemed as intrusive to cause a negative impact on the neighbouring properties. Overall, it is considered that the proposal will not have a detrimental impact on the neighbouring adjacent living conditions.

7.15 The relationship of the existing neighbouring property and this proposed single storey rear extension which does not protrude a significant amount passed the neighbouring property means that the proposal is compliant with the 45 degree guidance as set out in SPG1. Furthermore, the existing plans illustrate that there is a fully glazed conservatory situated within the position of the proposed extension. The proposal is mainly brick therefore, the proposal is a betterment in terms of any potential overlooking.

8.00 CONCLUSION

The proposed extensions and alteration of the property is considered to be of appropriate form and scale relative to the existing dwelling and existing development and surrounding area. It is considered that there is no detrimental impact on the living conditions of neighbouring occupiers and it is in accordance with policies GEN1, HSG12 and D2 of the Flintshire Unitary Development Plan, and Supplementary Planning Guidance Notes 1 and 2.

In the circumstances it is recommended that members resolve to approve the recommendation at paragraph 2.01 of this report to ratify the previous grant of planning permission.

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.

8.02 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.

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

- 8.04 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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