

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **15th DECEMBER 2021**

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

**SUBJECT:** **SINGLE STOREY FRONT EXTENSION AND CONVERSION OF GARAGE TO FORM ANNEXE ACCOMMODATION**

**APPLICATION NUMBER:** **063331**

**APPLICANT:** **MRS C PAYNE**

**SITE:** **1 HERRIOT GROVE,  
EWLOE,  
DEESIDE,  
FLINTSHIRE**

**APPLICATION VALID DATE:** **28.09.2021**

**LOCAL MEMBERS:** **CLLR D MACKIE**  
**CLLR Ms J AXWORTHY**

**COMMUNITY /TOWN COUNCIL:** **HAWARDEN COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUEST GIVEN CONCERNS ABOUT THE CREATION OF A SEPARATE UNIT OF RESIDENTIAL ACCOMMODATION**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

1.01 This full application seeks consent for the conversion of an existing detached garage with a link extension to the main dwelling, to create annex accommodation for residential occupation at 1 Herriot Grove, Ewloe, Deeside, Flintshire .

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

2.01 Conditions

- 1 Time limit on commencement of development
- 2 In accordance with approved plans
- 3 Materials to match existing
- 4 Occupation of extension shall remain incidental to main dwelling
- 5 Site/finished floor levels to be submitted and approved

**3.00 CONSULTATIONS**

3.01 Local Member  
Cllr D Mackie

Requests committee determination as it is considered that a separate unit of accommodation is being created .

Cllr Ms Axworthy

No response received at time of writing this report.

Hawarden Community Council

Objection and request planning committee determination.

Highways Development Control

On the basis that the annex is linked to the main property raise no objection and confirm that do not intend to make a recommendation on highway grounds.

Community and Business Protection

No adverse comments.

Airbus

No aerodrome safeguarding objection to proposal.

**4.00 PUBLICITY**

4.01 9 objections received (8 No from occupiers of one property opposite) the main points of which are summarised as follows:

- Loss of light to kitchen of neighbouring property
- Parking on frontage could be dangerous backing on to corner of road ,as already parking on road
- Development not in character with existing dwelling
- Loss of access to rear of site to allow bin storage
- If granted property may be an air B&B
- Proximity of development to fence posts and service provision inlets for gas and electricity

**5.00 SITE HISTORY**

5.01 None relevant

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
GEN 1 - General Requirements for Development  
HSG12 - House Extensions and Alterations  
HSG13 - Annex Accommodation  
D1 – Design Quality, Location and Layout  
D2 - Design  
AC - 18 Parking Provision and New Development

Supplementary Planning Guidance Notes (SPGN )  
SPGN Note No 1 Extensions and Alterations  
SPGN Note No 2 Space Around Dwellings

National Planning Policies  
Planning Policy Wales Edition 11  
Future Wales The Development Plan 2040  
Technical Advice Note (TAN) No 12 Design

**7.00 PLANNING APPRAISAL**

7.01 Introduction

This application seeks planning consent for the conversion of an existing single storey garage located to the front of 1 Herriot Grove, Ewloe and the formation of a single storey extension which would link between the garage and frontage of the existing two storey detached dwelling, to create annexe accommodation for occupation by a family member .

7.02 The application site is located on a corner plot on the eastern side of the junction of Sheridan Avenue with Herriot Grove, and is adjacent to an existing 2 storey property 31 Sheridan Avenue. The application site is within an established residential housing estate of similar size plots and is characterised primarily by detached two storey properties in the immediate street scene.

7.03 Proposed Development

The existing garage measures approximately 30.5m<sup>2</sup> in area being approximately 4.3m in height. It is proposed to convert the existing garage, in combination with the erection of a single storey link of approximately 22.4m<sup>2</sup> and 3.6m (high) to create annexe accommodation.

7.04 The proposed single storey link will be off set from the common boundary with 31 Sheridan Avenue by 2m .A separation distance

of 2.7m is retained between the proposed extension to nearest point of 31 Sheridan Avenue.

7.05 Main Planning Considerations

The main planning considerations to be taken into account in determination of this application include:

- a) The principle of development
- b) Character and appearance
- c) Impact upon living conditions of occupiers of existing dwellings and the proposed annexe
- d) adequacy of access/ parking

7.06 Principle of Development

Policy HSG12 of the Flintshire Unitary Development Plan (UDP) permits extensions or alterations to existing dwellings, provided that the proposal accords with the criteria as set out within the policy, and has regard to guidance set out in the Council's Supplementary Planning Guidance Notes 1 and 2.

7.07 In addition, Policy HSG13 of the UDP is permissive of annexe accommodation whereby by it is created via;

- a) the extension of an existing dwelling; or
- b) the conversion of an existing building within the curtilage of a dwelling; and
- c) its usage is ancillary to the residential use of the existing dwelling

7.08 The application seeks to convert the existing garage to annex accommodation and create a single story infill link extension to the existing dwelling, where its use is ancillary to 1 Herriot Grove. The principle of the proposed development is therefore acceptable having regard to this established planning policy framework, subject to the relevant development management considerations. Were members mindful to grant permission for the development this should be the subject of the imposition of a condition to restrict occupation as an annexe and not as a separate independent unit of accommodation.

7.09 Character and Appearance

Supplementary Planning Guidance Note 1 and the justification and explanation to Policy HSG12, state that as general guide, house extensions should be no more than 50% of the original floor space and extensions that are out of scale and character will not be permitted.

7.10 The existing dwelling on the site is approximately 120m<sup>2</sup> with the garage as referenced approximately 30.5m<sup>2</sup>. The link extension is proposed to be 22.4m<sup>2</sup> which does not exceed the 50% guidance,

as it represents a 15% increase to the original floor space of the house and garage

- 7.11 The location of the link extension would not be prominent in the street scene as it is located to the side of the existing garage building being lower in height. It would create what would be in effect an L-shaped unit its total form only visible when viewed from the access driveway into the site.
- 7.12 The design and form of the extension helps it assimilate on to the plot and its wider surroundings. In this context it is considered that the proposal is acceptable in scale, design and character relative to the existing detached two storey dwelling and does not represent overdevelopment of the site.
- 7.13 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.
- 7.14 The proposed single story annex would provide bedroom, lounge and kitchenette facilities, with an internal link is retained to the existing main house .All the window and doors proposed to serve the annex are to be located on the east elevation overlooking the applicants gravelled parking area. In design terms this is comparable to the link for eg between the garage and dwelling at 33 Herriot Grove, and the extension as proposed would be reflective of existing built development within the street scene and acceptable having regard to Policies D1 and D2 of the Unitary Development Plan.
- 7.15 Impact Upon Living Conditions  
The impact of the proposed development on the living conditions of occupiers of existing dwellings in proximity to the site are of fundamental importance in consideration of this application.
- 7.16 The extension attains a separation distance of 23m to the frontage of 6 Herriot Grove, which is in excess of the guidance of 22m as referenced in Supplementary Planning Guidance Note 2 Space Around Dwellings ( SPGN2 ) and will not adversely impact upon living conditions currently enjoyed.
- 7.17 The proposed conversion of the garage and proposed linked extension do not propose the introduction of any new window /door openings relative to 31 Sheridan Avenue. In addition the existing 1.8m high close boarded timber fence is to be retained, between the application site and this property.
- 7.18 Concerns have been raised from the occupiers of 31 Sheridan Avenue that the extension will have a detrimental impact on the living conditions enjoyed by the occupiers of this property, by virtue

of its impact on existing windows serving kitchen facilities relative to the common site boundary.

7.19 In assessing the relationship of the proposed development to this existing property, there is no direct interface relationship between habitable windows that would trigger the application of SPGN2. The window referenced is a kitchen window which is not classed as a habitable room as it is only relevant in relation to dining rooms, bedrooms and living rooms.

7.20 In respect of the question as to whether there would be any overbearing impact as a result of the proposed development on the occupiers reasonable enjoyment of their kitchen at No 31 Sheridan Avenue, it is my view that the introduction of a single storey link would not adversely impact on this window. I note particularly that;

- (i) its present outlook is onto the gable of the existing dwelling;
- (ii) the proposed extension is in an off-set position in relation to the window. Therefore the proposals will not give rise to a materially different outlook to that presently enjoyed from the window (being of a blank gable wall);
- (iii) the window serving the kitchen is north facing and the limited amount of direct light to this window would be encountered early in the morning and, as the sun tracks from east to west in the sky, the kitchen would then receive no direct light for the majority of the day; and
- (iv) the proposed extension is set back from the existing fence line.

7.21 Having regard to the above it is not considered that the proposal will have a significant detrimental impact upon the reasonable enjoyment of the kitchen.

7.22 Parking

Consultation on the application has been undertaken with the Highway Development Control Manager. As a result it has been confirmed that there is no objection to the development as the level of available parking within the site is considered acceptable to serve the scale of development proposed, subject to the imposition of a condition linking the annexe to the main dwelling

8.00 **CONCLUSION**

The conversion and extension of the existing garage to create annex accommodation in the manner proposed is considered to be of an appropriate form, scale and design relative to the existing detached two storey dwelling on site and the surrounding form of development in the wider surroundings in compliance with the policy framework referenced.

In addition the proposed development is not considered to significantly detrimentally impact upon living conditions of occupants of existing dwellings and is considered to be compliant with the relative policies and supplementary guidance Subject to the imposition of a condition as to ensure that the annexe is occupied incidental to the main dwelling and not as a separate independent dwelling., I recommend that permission be granted in accordance with section 2.00 of this report.

#### 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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