

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
5th MARCH 2018

APPLICATION NO:
P/2017 /1043

LOCATION:
DISUSED SHIPPON OFF VILLAGE
WALKS MARFORD WREXHAM
LL12 8SZ

DATE RECEIVED:
19/12/2017

COMMUNITY:
Gresford

DESCRIPTION:
ERECTION OF DOUBLE GARAGE

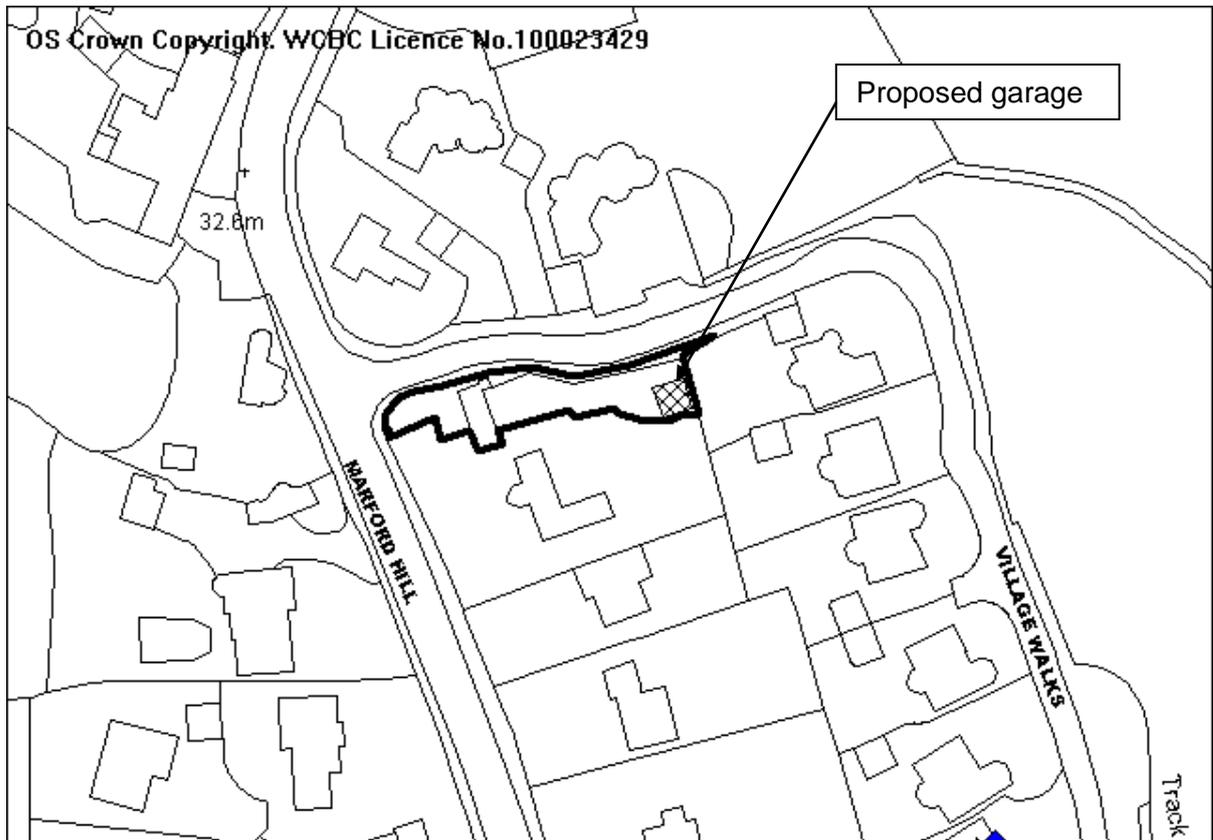
CASE OFFICER:
PF

WARD:
Marford & Hoseley

APPLICANT(S) NAME:
MR D ROBERTS

AGENT NAME:
BLUEPRINT
MR DAFYDD EDWARDS

THE SITE



PROPOSAL

Planning permission is sought for the erection of a detached garage with a storage area above within the roof space. The garage is proposed at the eastern most boundary of the application site. It would measure 5.8m by 5.4m with an eaves height of 2.5m and a maximum ridge height of 5m

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
5th MARCH 2018

HISTORY

P/2015/0512	Conversion and extension of shippon to form one dwelling with associated parking and private amenity space. Granted 24.09.2015
P/2016/0755	Demolition of disused shippon (within Marford conservation area). Granted 07.11.2016
P/2016/0756	Erection of detached dwelling and associated double garage and construction of new access off village walks. Granted 07.11.2016

PLANNING POLICY

The site is located within the settlement limit and the Marford Conservation Area. Policies PS2, GDP1, EC7 and T8 are relevant. Guidance is contained in Local Planning Guidance Note 20 – House Extensions and within the Marford Conservation Area Assessment and Management Plan.

CONSULTATIONS

Community Council:	No observations.
Local Member:	No concerns raised unless any have been made by neighbouring occupiers.
Site notice:	Expired 12.01.2018
Highways:	Concern raised that the proposed driveway behind garage door is not of sufficient depth.
Neighbouring occupiers:	4 neighbouring occupiers notified. Three representations received raising the following points: <ul style="list-style-type: none">• The garage, by reason of its height will result in a loss of light and amenity to the neighbouring occupiers;• Concerns were raised at the dwelling application stage that the access point would be problematic and the garage was removed from the application for that reason;• The width of the site is insufficient to accommodate the proposed garage and the parking provision of 4.8m which would normally be required;• Insufficient information regarding site levels has been submitted to enable the decision maker and the neighbouring occupiers to consider the application;

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

5th MARCH 2018

- Works have resulted in the loss of the Wellington Tree in the neighbouring garden area and concern was raised at the planning application stage for the associated dwelling that the then proposed garage would harm the tree. It is unclear whether consent was issued for the removal of the tree;
- Land levels have increased by 1.5m which means the garage will be much higher than the rear garden of Oakdale House;
- Council LPG states that where there is a difference in land levels, expected separation standards should be increased;
- The proposal will have an overbearing impact upon amenity of the private garden space and habitable.

A period of reconsultation was carried out on 12.02.2018 upon receipt of amended plans detailing the proposed finished floor level of the garage in relation to the adjacent road level.

SPECIAL CONSIDERATIONS:

Background: The garage is proposed to be part of the newly constructed dwelling which has resulted from the conversion and extension of the former shippon once associated with Poplar Cottage. The application site now falls in a separate ownership to that of Poplar Cottage.

During the construction works, a build-up of spoil and construction materials has occurred in what is to be the garden area of the new dwelling and in the location of the proposed garage. It is not clear whether the land will remain at this height across the entire garden area following occupation of the dwelling. However, the Council is now in receipt of an amended plan to show how the proposed garage would sit in relation to the increase land level.

Design: I am satisfied that the proposed scale, form and appearance of the garage within this location of the site is acceptable. Whilst the siting of the garage is such that it would be prominent from views through the conservation area, the design is suitable and the inclusion of gothic type windows to the side, circular opening above the door and a simple brick arch over the doors provide some design continuity between the garage and the main house.

The Conservation Officer has suggested that the eaves be extended a little further with a little overhang just to improve the overall proportion of the structure.. However, I consider that the inclusion of rainwater goods will

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
5th MARCH 2018

balance out the structure given the short elevation of the structure which will be visible. An increase in eaves projection may also appear imposing to the neighbouring occupiers, a matter which is discussed later in this report.

I am satisfied that the proposal would preserve the character of the Marford Conservation Area.

Amenity: There is a difference in land levels between the application site and the immediate adjoining occupiers to the east at Oakdale House. In accordance with the land level plan received by the applicant, the proposal is to set the finished floor level of the garage approximately 300mm below the level of metalled carriageway adjoining the site. It is noted that there is a gradual rise in the garden level of the application site from the boundary with Oakdale House rising up in a westerly direction towards the new dwelling.

Save for Oakdale House, there will be negligible impact upon the amenity of the surrounding dwellings as a result of the proposed structure. Any impact upon amenity by way of design and materials is discussed above. The main issue to consider is whether the position and mass of the structure will have a detrimental impact upon the amenity of the occupiers of Oakdale House, both from within the dwelling and within the private amenity space.

The proposed garage will be visible to the neighbouring occupiers and will have an impact upon amenity beyond that currently enjoyed. The issue for Members to consider is whether this impact will be detrimental. The facing elevation of the proposed garage will be some 16.3m metres from the habitable room windows on the rear elevation of Oakdale House. Local Planning Guidance Note (LPG) 20 requires a minimum distance of 13 metres between walls where there are habitable room windows facing a blank elevation. The same LPG advises that this distance should be increased on sloping ground so that for every metre (or part thereof) difference in height, the distances in the standard shall be increased by two metres. I would estimate, based on the newly submitted floor level plan, that the difference in height between the floor level of Oakdale House and the proposed garage is approximately 1.5. This would lead to a required maximum separation distance of 17m – a shortfall of 0.7m.

The garage features a standard eaves height of 2.5m and a tiled roof which slopes away from Oakdale House (up to a ridge height of 5m). The shortfall in the maximum separation standards shown in the LPG20 is marginal. The mass of the roof space faces away from the property therefore, whilst the garage will be visible to the neighbouring occupiers, I do not consider that the garage will appear oppressive to their outlook. Members should note that residents have no right to a particular view.

In terms of the impact upon amenity enjoyed in the garden area of Oakdale House, whilst the garage will be located in close proximity to the boundary, its presence alone is not a reason to justify refusing planning permission. The

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

5th MARCH 2018

eaves height of the garage on the boundary would be approximately 3.75m above ground level of Oakdale House. Whilst the overall height of the garage is 5 metres to the ridge, this ridge slopes away from the boundary and would allow daylight to cascade over it, rather than it causing a blank mass. The elevation of the garage would not stretch the entire length of the boundary therefore would not enclose the entire garden area. Lastly, it should be noted that the enclosures could be erected on the boundary of the planning application site which could result in a structure of 3m in any case.

I am satisfied that the structure would accord with the principles laid out in LPG20 relating design and separation standards. Impact upon amenity would be acceptable.

Highways: Highways have raised concern that the parking provision in front of the garage door is not sufficient as it would not allow for vehicles to park on site and open the garage door. There is no additional space to increase the driveway depth and the garage depth is on the limit of a normal depth for a garage to park a vehicle. Normally, this would be a matter resolved by an amended layout design. However, in this case I am satisfied that Village Walks is a lightly trafficked unclassified highway, the geometry of which is such that passing vehicles will be travelling at a relatively slow speed. It is also noted that condition 6 of P/2016/0756 requires the laying out and retention of a parking area for one vehicle adjacent to the dwelling front door. For this reason I consider the risks of highway danger caused by vehicles waiting on the highway whilst a garage door is opened is minimal.

Trees: Reference has been made to the removal of a large Wellington tree in 2017 which was positioned immediately to rear of the proposed garage when the entire land holding was in the ownership of Poplar Cottage. Normally, formal consent of the LPA is required for the removal of a tree in a Conservation Area. The rapid deterioration of this tree was notified to the Council under a '5 day notice' and its removal authorised by the Tree Officer in accordance with section 198(6) of the Town & Country Planning Act 1990. The same Act requires the planting of a replacement of a tree of similar size and species within the next available planting season. Whilst these works have not been carried out, I am satisfied that the erection of the garage will not prejudice any replanting required.

Conclusion: I am satisfied that the proposed sign is acceptable and accords with local policy and national guidance. I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

5th MARCH 2018

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered RO65/007 Sheet 1 of 1 Rev B and RO65/005 Sheet 1 of 1 Rev D and as contained within the application documentation.
3. The garage doors as shown on the approved plan shall be of a side hung type only.
4. All external joinery shall receive a white painted finish and be retained in this condition thereafter unless otherwise agreed in writing by the local planning authority.
5. The vehicular parking and turning areas as shown on approved drawing(s) No(s). RO65/007 Sheet 1 of 1 Rev B shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.

NOTE(S) TO APPLICANT

The development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

PLANNING COMMITTEE - 5 MARCH 2018
ADDENDUM

Pages 76 – 81 **GRE P/2017/1043**

Disused Shippon, off Village Walks, Marford, Wrexham
SPEAKER: AGAINST – Sioned Edwards (Rep Neighbour)
FOR – Stuart Hatherall (Agent)

Local Member

Concerns raised for the following reasons:

- The public footpath adjoining the development has been dug up in parts and completely taken over by scaffolding and fencing, leaving pedestrians no choice but to walk in the road. As well as this, the site itself is quite messy, leaving residents with an eyesore on their doorstep. I would recommend a site visit from planning enforcement is needed in view of this.
- The size of the garage will have a significant impact on neighbouring properties' privacy, natural light and the length of time this development is taking.
- Why are the trees in the development that have died not being replaced? Surely there should be an option for WCBC or the Community Council to replace them?
- I strongly recommend a site meeting from the planning committee may also be needed.

Observations

Matters relating to the disturbance and blockage of the adopted highway footpath can only be dealt with by the Highway Authority and the granting of a planning permission does not authorise such actions. The matter has been reported to the Council's Highways section.

All other points raised are addressed in the main report.

Recommendation

Remains unchanged.



© Crown copyright. All rights reserved. 100023429. 2011

HEAD OF ENVIRONMENT AND PLANNING
 16 LORD STREET
 WREXHAM
 LL11 1AY

07/03/18
 Scale 1:1250

Town & Country Planning Act 1990
Appeal Site Location Plan



P/2017/1043

DISUSED SHIPPON, OFF VILLAGE WALKS
 MARFORD, WREXHAM
 COUNCILLOR RUSSELL GILMARTIN

