

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – 4 NOVEMBER 2019

APPLICATION NO:
P/2018 /1004

LOCATION:
REAR OF BANK COTTAGES
WATERLOO PLACE CEFN MAWR
WREXHAM

DATE RECEIVED:
29/11/2018

COMMUNITY:
Cefn

LL14 3AS

CASE OFFICER:
PF

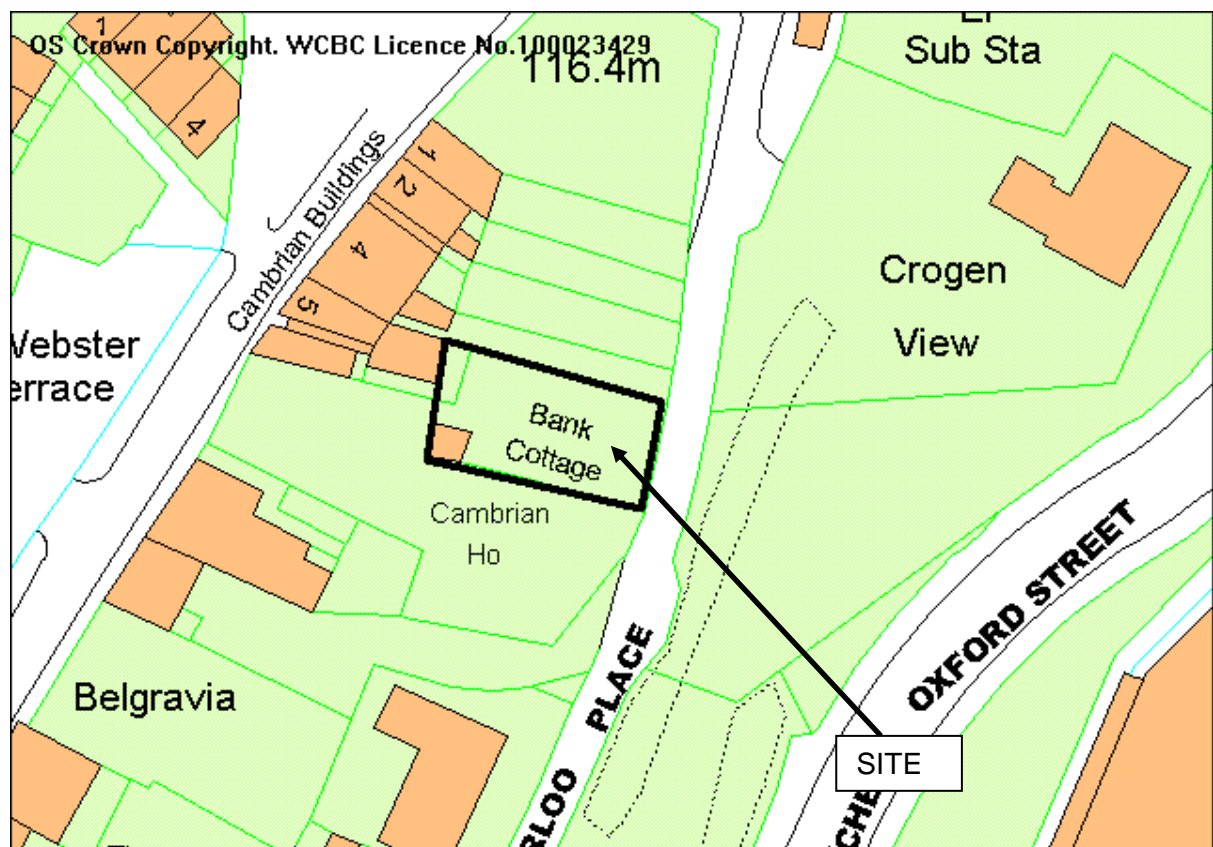
WARD:
Cefn

DESCRIPTION:
ERECTION OF 1 NO. THREE BED
DETACHED DWELLING WITH
ASSOCIATED PARKING AND
LANDSCAPING DEMOLITION OF
DETACHED GARAGE

AGENT NAME:
MR DARREN SMITH

APPLICANT(S) NAME:
MR DARREN SMITH

THE SITE



PROPOSAL

Planning permission is sought in full for the erection of a single dwelling following the demolition of an existing garage.

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HISTORY

P/2017/0649 Outline application for the erection of one dwelling.
Refused 02.10.2017 and dismissed at appeal.

PLANNING POLICY

The site is located inside the Cefn Mawr settlement limit. Policies PS1, PS2, PS3, PS4, GDP1, EC4, EC7, H2 and T8 are relevant. Guidance is contained in LPG16 – Parking Standards, and 21 – Space Around Dwellings.

CONSULTATIONS

Community Council:	No specific comments raised in relation to the proposed development. Queries were raised regarding the status of neighbouring land and no further correspondence has been received following a requests for an extension of time.
Local Member:	No specific comments raised in relation to the proposed development. Queries were raised regarding the status of neighbouring land and no further correspondence has been received.
Site notice:	Expired 04.01.2019
Highways:	The application should be refused as the proposal will result in a loss of parking provision for the existing dwelling.
Public Protection:	No concerns raised. Advise informatives to control construction nuisance.
HSE:	Does not advise against.
NRW:	No objection.
Welsh Water:	Requests a detail drainage plan
Neighbouring occupiers:	2 neighbouring occupiers notified. Two representations received raising the following comments: <ul style="list-style-type: none">• The land neighbouring the 'red line' application site is in dispute and until this is resolve the application should be suspended;• The application will result in over development of what is little more than a garden area;• The new building would over dominate the neighbouring area reducing privacy and loss of light;• There is no overriding need for the dwelling as there are nearby unoccupied properties;

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- The proposal will not result in higher value homes in the locality;
- The development would result in the blocking off of neighbouring dwellings at their rear; and
- This would be a dangerous development along a narrow lane.

SPECIAL CONSIDERATIONS

Background: The site is within the development boundary of Cefn Mawr. The principle of the development is acceptable in light of policies PS1 and H2 of the Wrexham Unitary Development Plan.

A full planning application was made in 2017 for a single dwelling. This application was refused on the grounds of highway safety, in that Waterloo Place is a narrow lane with limited passing places which serve a number of existing residential properties, and also on the basis of loss of amenity for the neighbouring occupiers by reason of its presence in close proximity to the neighbouring dwelling.

An appeal was lodged. Although this appeal was dismissed, the Inspector was satisfied that allowing a dwelling in this location would not result in a significant increase in traffic movements to the detriment of highway safety. However, the Inspector did raise concern that the proximity of the proposed dwelling to the neighbouring dwelling to the north (5 Bank Buildings) would be detrimental to living standards because of the position of windows.

This application now before Members is a resubmission which effectively seeks to overcome that reason for refusal. The proposed layout plan is for a three bed dwelling with a two storey side projection which has a garage at ground floor with a bedroom above. All habitable windows have been designed to face away from or not directly face the large dwelling to the rear.

Since the submission of the application, an alteration to the neighbouring dwelling has occurred with a significant outrigger being removed. On this basis, I am now satisfied that the proposed dwelling can be sited as such that any rear facing habitable window does not directly face a neighbouring dwelling. The windows to the front elevation will not overlook any other property.

Visual impact: The proposed dwelling has been carefully considered in relation to the conservation area. The Inspector considered that the development of the site with a single dwelling would not be detrimental. Facing Waterloo Place are a variety of building styles, materials and form including bungalows and two-storey dwellings. I consider that the proposal would not harm and have a neutral effect on the appearance of the conservation area, thus preserving its character in accordance with policy EC7.

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Land ownership: There has been an ongoing land ownership dispute which has been referenced in representations to this application and the previous 2017 application. The Inspector was satisfied in the 2017 appeal decision that the planning application had been treated fairly and based on the red line location plan consistent with representations made. I am satisfied that whilst this matter may be ongoing, the applicant has satisfactorily demonstrated that the planning application is on a site within their control.

Other matters: There is a reasonably mature yew tree within the confines of the application site. Whilst it would not be located within the footprint of the dwelling I am of the opinion that it would be directly influenced by the proposal and likely to need removal. Whilst the removal of any tree is unfortunate, I have given the significance of the tree consideration insofar as its contribution to the conservation area is concerned and as well as previous consideration to the tree in 2017. The Inspector did not raise any specific concerns about the impact upon the tree.

When viewing the site on approach along Waterloo Place from the north there are limited views of the tree. It is only when viewed from the south that the tree becomes evident. That said, the tree is seen in relative isolation and given the very urban and varied appearance of the architecture, the loss of this isolate tree would not be detrimental to the conservation area.

The highway impact of the development is considered acceptable in terms of traffic generation as mentioned above. The proposal would provide for two vehicle spaces. Whilst one space short in light of LPG16 guidance, I am satisfied that this is a sustainable location where the impact can be absorbed. Concern has been raised that the development of the site should be resisted as it would result in the loss of parking provision for the neighbouring dwelling. Whilst I appreciate that the site appears part of the curtilage of the neighbouring dwelling, submissions show that the land is completely independent and there is no right for any third party to use the land for parking.

Impact of development upon property values is not a material planning consideration.

I am satisfied that there is no need to consider need for the dwelling given the principle of development is acceptable in this settlement in line with policies PS1 and H2.

Conclusion: I am satisfied that this site can be developed without having a detrimental impact upon the character of the conservation area or the amenity of the neighbouring or future occupiers of the dwelling. I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

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 696/1, 694/3 Rev A, 694/5 and 694/6 and as contained within the application documentation.
3. No part of the development shall commence until a specification of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 694/3 Rev A shall be fully laid out. 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.
5. For the avoidance of doubt, all windows and doors shall be of a timber construction in accordance with the details contained in approved drawing nos. 694/5 and 694/6 unless otherwise agreed in writing by the local planning authority.
6. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the detail as may be approved.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
 2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
 3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
 4. 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 in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
 5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
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