

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
29th JULY 2019

APPLICATION NO:
P/2019 /0266

LOCATION:
PADDOCK ADJOINING AND SOUTH
OF BRYN CELYN GARTH ROAD
GARTH LLANGOLLEN WREXHAM
LL20 7YD

DATE RECEIVED:
04/04/2019

COMMUNITY:
Llangollen Rural

CASE OFFICER:
MR

WARD:
Llangollen Rural

DESCRIPTION:
APPLICATION FOR APPROVAL OF
RESERVED MATTERS PURSUANT
TO OUTLINE PLANNING
PERMISSION P/2017/0466 - LAYOUT,
SCALE, APPEARANCE AND
LANDSCAPING FOR PLOT NOS 1
AND 2 (RESIDENTIAL
DEVELOPMENT)

AGENT NAME:
JOHN FILEDING
ARCHITECTURE AND
DESIGN LTD
MR JOHN FILEDING

APPLICANT(S) NAME:
MR NICHOLAS TITLOW

THE SITE



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PROPOSAL

The application seeks approval of reserved matters relating to outline planning permission with approval of access under P/2017/0466, granted on 03/08/2017. Approval is sought for layout, scale, appearance and landscaping of plots 1 and 2.

HISTORY

P/2017/0466 Outline application for residential development (5 detached houses and garages) and construction of new access and internal driveway.
Approved 03/08/2017.

DEVELOPMENT PLAN

Within Garth Settlement Limit. UDP policy GDP1 applies.
LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings.

CONSULTATIONS

Community Council: No objection.
Local Member: Notified 08.04.2019.
AONB Joint Committee: Original comments requested submission of site sections and street scene elevations. Natural blue/grey slate for roofs is supported. Facing the timber deck structures with natural stone would help to integrate the proposal with the surrounding context. Proposed facing red brick should be re-considered and more detail required on landscaping proposals.

Most recent comments advise that the additional landscaping details are welcome, along with confirmation that existing stone boundary walls will be restored, deck areas faced in matching local stone and that natural slate will be used on the proposed porch roofs. It is suggested that the new hedge serving Plot 1 should be extended along the road frontage behind the restored stone wall and returned along the southern boundary of the plot.

Suggest that the appearance of the development and its dominance in the locality would be enhanced if the floor level of both plots could be reduced still further.

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Conservation Officer:	The local materials survey information is noted but the committee is still of the opinion that red-multi brick wall facings are inappropriate in this instance. In her original comments, the Conservation Officer reiterated the comments from the AONB Joint Committee. Based on the revised proposals submitted, no objection is raised to the facing brick proposed, provided the mortar is mellow in appearance and natural Welsh slate is used.
NRW:	No comments.
Welsh Water:	No objection subject to compliance with drainage conditions on outline permission.
Public Protection:	No comments.
Trees:	The submitted details demonstrate the recommended tree protection measures are in place and fit for purpose. Condition 5 can be discharged.
Site Notice:	Expired 07.05.2019.
Neighbours:	1 no. representation received objecting to the proposal. Concerns raised relate to overbearing impacts, overlooking between habitable windows, the style is not in keeping with surrounding properties.

SPECIAL CONSIDERATIONS

Design and Layout: Both properties have been orientated to face the highway, with windows serving habitable rooms achieving natural surveillance and encouraging active frontages.

The scheme has been amended slightly to take on board comments made by the AONB Partnership and Conservation Officer. Changes have included the use of natural stone to support the timber decking areas, natural slate for roofs and a more comprehensive landscaping scheme which are all considered to be acceptable and would help the proposal to integrate with the surrounding context.

Whilst the AONB Partnership commented that red brick would not be the preferred option for facing materials, there is a range of finishes and materials used in the surrounding area and the use of red brick is not considered would appear overly discordant or incongruous in this respect.

The scale of the properties are considered to be commensurate with the plot size and the proposal would not appear cramped or over developed in this respect.

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The height of the dwelling at plot 2 has been reduced by 0.5m based on advice from officers and is now considered would be less dominant in the landscape and when viewed from the street scene.

Overall, the design and layout of the proposal is considered to be acceptable and would comply with UDP Policy GDP1.

Residential Amenity: The proposed side windows serving the family and living room to Plot 1 would measure between 20m and 21m away from the facing habitable window serving the neighbouring property at No 9 Harrisons Row.

Whilst this would be a shortfall of between 1m and 2m as set out in the guidance (LPG 21), these windows are considered to be secondary given their relatively limited width. Nevertheless, given both rooms are also served by other large openings, it is considered that a condition could be placed on any grant of planning permission requiring these windows to be obscurely glazed.

This would overcome the albeit limited shortfall in the guidance, whilst having no detrimental impact to outlook of proposed occupants given the rooms are also served by significantly sized openings as previously mentioned.

There are no first floor habitable windows in the facing side (south) elevation of Plot 1.

The ground floor level of Plot 1 would be approximately 3.5m higher than the ground floor level of the neighbouring property to the south (No 9).

LPG 21 states that where a window in a habitable room faces a blank wall, there should be a minimum 13m distance between both properties. On sloping ground, an increased distance will be required so that for every half metre difference in height, the distance in the standard is increased by 1 metre.

The windows in the proposed side elevation of Plot 1 would be obscurely glazed therefore the 13m distance applies. Given the difference in land levels between both the existing neighbouring dwelling and the property at Plot 1, an additional 7m separation distance over the recommended 13m would be required.

The habitable window serving the side elevation of the existing neighbouring dwelling would measure approximately 20m away from the facing wall of the proposed dwelling, meeting the standard. In any event, the window in question does not directly face the proposed dwelling, only resulting in oblique views, which is considered to be acceptable.

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The garage serving plot 1 would be set at approximately 2.5m above ground level of the neighbouring property, therefore requiring a distance of 18m between the neighbour's habitable window and the facing side elevation of the garage.

The straight line distance between both would measure approximately 17.2m. A shortfall of 0.8m is considered to be limited, particularly in the context that the garage is limited in height, measuring only 4m to the ridge and that the neighbours' window does not directly face the garage, resulting in oblique views between both the window and the garage. Furthermore, the existing retaining wall running along the boundary already restricts outlook to the neighbours' habitable window.

On the basis of the above as well as the potential for some soft landscaping along the boundaries which would naturally help to provide screening between both properties and their associated curtilages, the dwelling at Plot 1 is not considered would adversely impact on existing levels of residential amenities of the neighbouring property to the south, sufficient to warrant refusal of the scheme.

The siting of the dwelling at Plot 2 is considered to be appropriate and would not adversely impact on residential amenities of neighbouring properties.

The proposal overall is considered to be acceptable having regard to impacts on existing and proposed residential amenities and would comply with UDP Policy GDP1.

Access and Car Parking: Access has already been approved as part of the outline planning permission granted under P/2017/0466.

Parking provision would meet maximum standards as set out in LPG 16.

Trees: The Tree Officer has confirmed that the details submitted are acceptable to allow the discharge of condition 5 attached to the outline planning permission under P/2017/0466.

CONCLUSION

The development is considered to be acceptable and would not result in any adverse impacts to visual and residential amenities of the locality, sufficient to warrant refusal of the scheme, complying with UDP Policy GDP1.

RECOMMENDATION

That the Application for Reserved Matters be APPROVED

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CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered: 1:100 Plot 2 Garage Plan & Elevations, 1:100 Garage Plan & Elevations, 1:200 Plot 1 & 2 Site Layout Plan Rev C, 1:100 Garth Road Elevation & Site Sections Rev A, 1:100 Plot 1 GA Floor Plans & Elevations Rev D, 1:100 Plot 2 GA Floor Plans & Elevations Rev E, Site Context - Elevation Materials and as contained within the application documentation.
2. Prior to their use on the development, samples of all external facing and roofing materials, as well as details of the mortar mix and finish, shall be 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.
3. All windows in the facing side (south) elevation of the property at Plot 1 as shown on approved plan 1:100 Plot 1 GA Floor Plans & Elevations Rev D, shall be obscurely glazed and thereafter retained for the lifetime of the development.
4. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. 1:200 Plot 1 & 2 Site Layout Plan Rev C within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no further development shall take place under Classes A-E of Schedule 2, Part 1 or Class A of Schedule 2, Part 2, other than the development hereby granted planning permission.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
 2. 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.
 3. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
 4. 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.
 5. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
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