

APPLICATION NO:
P/2019 /0399

LOCATION:
20 BRYN Y GROES GRESFORD
WREXHAM
LL12 8TZ

DATE RECEIVED:
24/05/2019

COMMUNITY:
Gresford

DESCRIPTION:
CHANGE OF USE OF DETACHED
GARAGE TO ANNEX
ACCOMMODATION FOR FAMILY
MEMBER

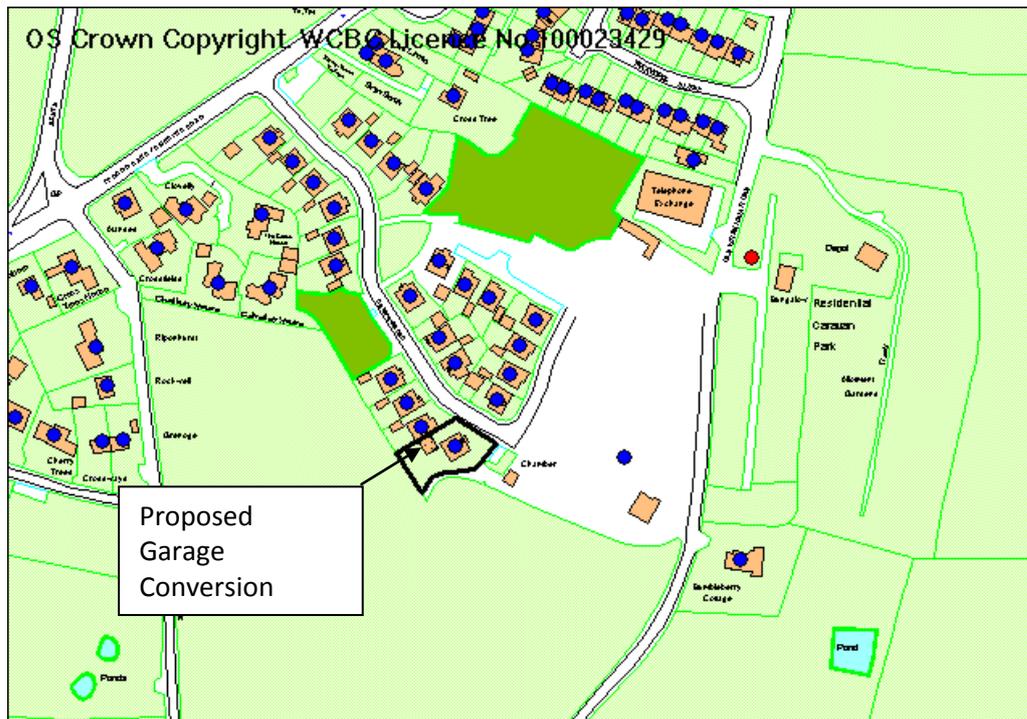
CASE OFFICER:
SEH

WARD:
Gresford East & West

APPLICANT(S) NAME:
MR MARTIN JONES

AGENT NAME:
WREXHAM COUNTY
BOROUGH COUNCIL
MR PETER HUGHES

THE SITE



PROPOSAL

As above

PLANNING HISTORY

P/2019/0450 Erection of Double Garage - Decision Pending
(reported later in this agenda).

DEVELOPMENT PLAN

The site is within settlement. UDP Policies PS2 and GDP1 apply. Local Planning Guidance Notes Nos. 16 'Parking Standards', 20 'House Extensions' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	No objection provided that the accommodation remains ancillary to the dwelling.
Local Member:	Notified 29.05.2019
Site notice:	Expired 20.06.2019
Neighbours:	2 letters received expressing the following: <ul style="list-style-type: none">• The garage to be converted is already a large structure and it should not be extended any further to accommodate the use;• The conversion should only be used on an ancillary basis, used only by a member of the family and should not become a separate dwelling;• The internal layout should be re-configured so that the living accommodation is at the front with the kitchen and shower room to the back with frosted glass in the windows. This would avoid overlooking down into the garden area of the adjacent property.

SPECIAL CONSIDERATIONS

Background: This application is for the conversion of the existing 1.5 storey garage to the north west side of the existing 2 storey dwelling, to provide ancillary accommodation for a family member on the ground floor with carer's space above. The main issues to consider relate to the impact of the development upon highway safety, and upon residential and visual amenities.

Design: The proposed alterations to the exterior of the building are minor and are limited to the removal of the ground floor garage doors on the front elevation to be replaced by a window and pedestrian door, bricking up of the existing side door to create a small window, and the removal of one of the ground floor windows on the rear elevation and replacement with a pedestrian door. A wheelchair access ramp is also proposed at the front of the building (see Figures 1 to 5 below). The proposed conversion works therefore have no impact upon the visual amenities of the area.

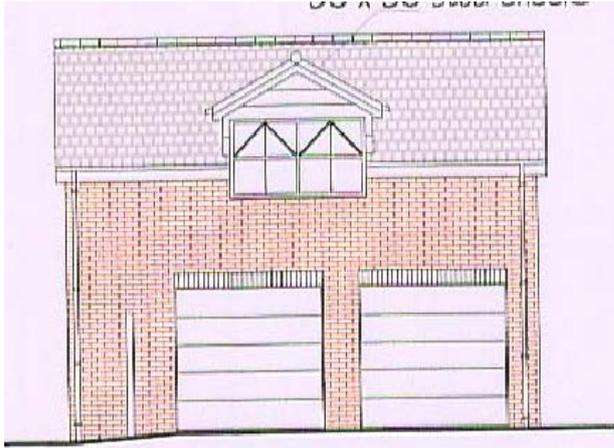


Figure 1. Existing Front Elevation

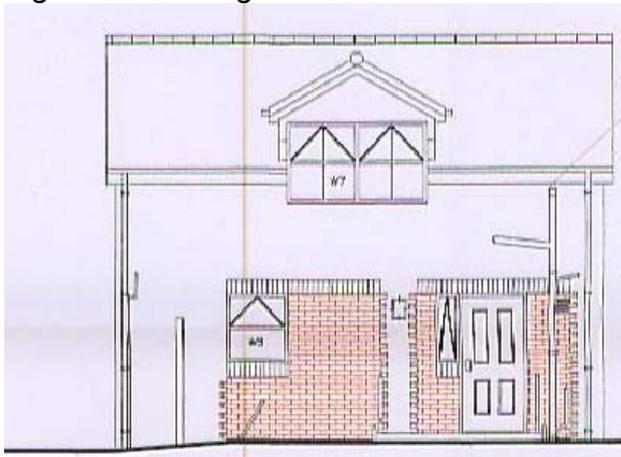


Figure 2. Proposed Front Elevation

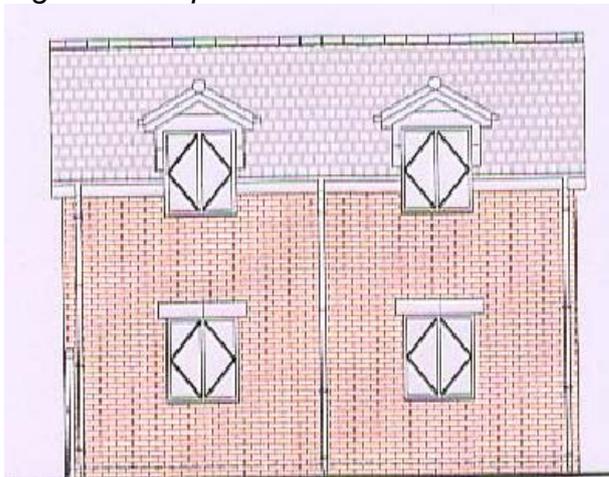


Figure 3. Existing Rear Elevation

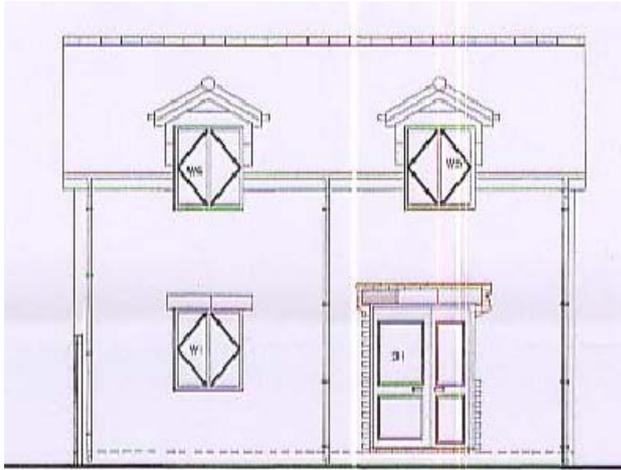


Figure 4. Proposed Rear Elevation

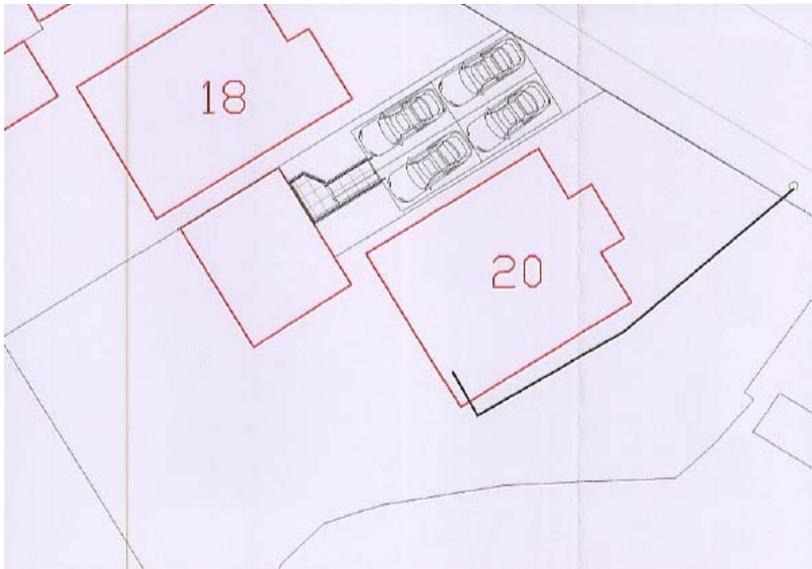


Figure 5. Proposed Site layout (Access Ramp and 4 no. Parking Spaces)

Residential Amenity: The 45 degree test for daylight is not relevant in this case. There are no new windows proposed at first floor level and no habitable room windows directly facing the building at the rear. The property which faces the front of the building is 27 metres away which exceeds the minimum separation distance of 22 metres between habitable room windows as recommended by LPGN 21.

I note that the occupier of the neighbouring property has requested that the internal floor plan be altered to avoid any overlooking from the rear of the proposed annex. There is no policy justification to insist upon this change as the existing window does not face directly into any of their windows. Whilst it would be possible to stand in the rear window at first floor level and look down into the neighbouring garden, this is the existing arrangement and a common feature of the layout of housing developments. There would be no direct loss of privacy when using the residential accommodation on a day to day basis.

Other matters: As the proposed annex is dependent upon the outdoor space of the existing dwelling (parking and garden etc.), it is necessary to tie the annex to the dwelling for use by members of the same family. This will safeguard against any potential for overdevelopment of the site, and this will be secured by way of planning condition.

Conclusion: I consider the proposed annex accommodation to be acceptable in terms of scale and design, and that there would be no impact upon visual or residential amenity. The development is in accordance with the Council's adopted policies and guidance and 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 12 and as contained within the application documentation.
3. No facing or roofing materials shall be used other than materials matching those used on the existing building.
4. With the exception of those shown on the approved plan and 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 windows or other openings shall be inserted in any elevation of the building.
5. The annex accommodation hereby approved shall not be used other than by members of the same family as occupying the existing dwelling and shall in no case be used as a separate dwelling.
6. The vehicular parking areas as shown on approved drawing no 012 shall be permanently retained and kept free of any obstruction, and made available solely for the parking 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 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 protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To protect the amenities of the occupiers of nearby properties and ensure that the building remains incidental to the dwelling, and in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

6. To provide for the parking of vehicles clear of the highway the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan

NOTE(S) TO APPLICANT

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.
